DRINKING WATER BOARD PACKET

JANUARY 11, 2008

SALT LAKE CITY, UTAH

AGENDA

FOR THE

DRINKING WATER BOARD MEETING

ON

JANUARY 11, 2008



State of Utah

Department of Environmental Quality

Richard W. Sprott Executive Director

DIVISION OF DRINKING WATER Kenneth H. Bousfield, P.E. Director

Drinking Water Board

Anne Erickson, Chair
Myron Bateman, Vice-Chair
Ken Bassett
Daniel Fleming
Jay Franson, P.E.
Helen Graber, Ph.D.
Paul Hansen, P.E.
Petra Rust
Richard Sprott
David Stevens, Ph.D.
Ron Thompson
Kenneth H. Bousfield, P.E.
Executive Secretary

JON M. HUNTSMAN, JR. Governor

GARY HERBERT
Lieutenant Governor

DRINKING WATER BOARD MEETING

JANUARY 11, 2008

1:00 p.m.

Place: DEQ's Offices 168 North 1950 West, Room 101 Salt Lake City, Utah 84116

Ken Bousfield's Cell Phone #: (801) 674-2557

- 1. Call to Order Chairman Erickson
- 2. Roll Call Ken Bousfield
- 3. Introductions Chairman Erickson
- 4. Approval of Minutes November 16, 2007
- 5. Alta Town Antimony Variance Patti Fauver
- 6. SRF/Conservation Committee Report Vice Chairman Myron Bateman
 - 1) Status Report Ken Wilde
 - 2) State SRF Applications
 - a) Alta Town, Planning & Design Advance Bob Hart
 - b) Wales Town Planning Advance Michael Grange
 - c) Parowan City Construction Loan Rich Peterson
 - d) Bear River WCD Project Update Ken and Rich
- 7. Chairman's Report Chairman Erickson

- 8. Directors Report
 - a) Rural Water Association of Utah's 2008 Annual Conference
 - b) Utah Water Users' 2008 Annual Conference
 - c) Annual Awards/Christmas Luncheon
 - d) Payroll Direct Deposits
 - e) Staff Changes
- 9. News Articles
- 10. Next Board Meeting:

Date: February 29, 2008

Time: 1:30 p.m.

Location: Dixie Center

1835 Convention Center Drive, Entrada Room

St. George, Utah 84770

- 11. Other
- 12. Adjourn

In compliance with the American Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Brooke Baker, Office of Human Resources at: (801) 536-4412, TDD (801) 536-4424, at least five working days prior to the scheduled meeting.

AGENDA ITEM 9

NEWS ARTICLES

Morning News

Storms give Utah snowpack a big boost

Reservoir water outlook changes dramatically in only 2 weeks

By Joe Bauman and Rebecca PalmerDeseret Morning News

Published: December 27, 2007

The white Christmas Utahns enjoyed this week amounted to a Christmas gift from Nature herself — a gift that promises to keep on giving well into the summer.

Storms blowing across the Beehive State for the past week not only whitened lawns and made highways dangerously slick, they also boosted the snowpack, which measures the amount of water in fallen snow. Instead of the sorry 40-percent-of-average that had prevailed in the northern part of Utah, snowpacks are now almost normal in most regions in the north, and are increasing daily.

In the south, conditions are even better, with southeastern Utah accumulations reaching 153 percent of what's considered normal for this time of year.

Should these conditions continue, Utah's farmers, ranchers and other water users should have enough water to sail happily through the hot months of 2008.

Snowfall "started off awfully slow" when the water year began in October, noted Randy Julander, snow survey supervisor at the Salt Lake City office of the U.S. Natural Resources Conservation Service. "However, things can turn around in a hurry."

Today snow levels in northern Utah are "pushing near-normal conditions," he added. The exception is the Bear River watershed, where scientists found only 65 percent of the 30-year average for this time of the year.

Southern Utah went from "essentially no snowpack at all to 150 percent of average" he said. He would like to see accumulations continue to pile up for a while because sometimes the weather can turn dry, with little additional snow falling.

"Pile it on. It's better to score early and often than later or never."

The outlook for Utah having enough water in the reservoirs this summer is far rosier than it was even two weeks ago. But it's too early to uncork the faux champagne.

"We're only a quarter of the way through winter," Julander warned. "We've got a long way to go to see what this winter brings for us."

Meanwhile, snowplow crews at the Utah Department of Transportation have been out on the road nearly nonstop since the weekend, clearing roads and pre-treating roads in preparation for storms, according to agency spokesman Adan Carrillo. On Wednesday, crews began plowing early in the morning and throughout the day.

Shifts are about eight hours long, and then crews are allowed to go home to their families, Carrillo said. UDOT has 487 snowplows and about 562 drivers able to work statewide.

"We usually don't stop until the storm has cleared the state," Carrillo said of the snowplow operators.

Each winter, UDOT estimates it spends \$17 to \$20 million clearing state roads. The money, among other things, goes to replace an average of 1,500 snowplow blades each year and buy an average of 221,000 tons of salt.

Wednesday night, a very cold front moving over Utah dropped a few inches in places around the state, according to the National Weather Service in Salt Lake City. The new snow and freezing roads caused a spate of minor problems for Utah drivers.

About 4:30 p.m., a car ran into a house near 1000 South and 900 West. Earlier, in Big Cottonwood Canyon, a man was hit by an oncoming car just after his car slid from the road. The man received several broken ribs and other injuries but was expected to be OK.

The storm caused 2 inches of new snow and 0.11 inches of snow water equivalent to be added to Alta's 69 inches by 6:30 p.m.

The Christmas Eve storm added 21 inches to the Alta area and 18 inches to the Snowbird slopes.

That storm also dropped 7 inches in the Layton area, 6 inches in South Ogden, 3.5 inches in Cache Valley's Hyde Park and 8 inches in Millcreek. In addition, 10 inches of new snow fell at The Canyons resort over Christmas, and 13 inches fell in the Big Cottonwood area at an elevation of 7,400 feet.

One inch of new snow fell in Salt Lake City Tuesday by 6:30 p.m. adding 0.06 snow water equivalent inches. Salt Lake had received 4.1 inches for Christmas.

Tooele had 1.5 inches of new snow, while Spanish Fork and Springville each had 0.5 inches Tuesday. Those areas had seen 2.5, 4 and 4.5 inches, respectively, over Christmas,

A heavy snow advisory issued by the NWS is in effect until 11 a.m. today. The light evening snow turned into heavier and more dangerous snow overnight. Several inches of new snow were expected to accumulate along the I-15 corridor from Cedar City northward.

NWS officials predicted areas just south of the \$alt Lake would be hardest hit by the storm due to a lake effect. Sanpete and the Sevier Valleys were also expected to see significant snowfall.

Contributing: Nicole Warburton

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County_engineering_director_outlines_priorities

by Doug Radunich

STAFF WRITER

As the new director of engineering for Tooele County, Vern Loveless is busy planning for the county's future infrastructure needs as it continues to change and grow.

Loveless, a rural engineer who worked in heavy industry and management for 23 years, began his term as the county's new director of engineering on Dec. 3. He replaced Jim Lawrence, who left the position after three years to pursue a doctorate degree at Texas A&M University. Loveless was invited to interview for the job by commissioners Bruce Clegg and Jerry Hurst.

Loveless said that right now his primary concern is making sure the county's water supply isn't overtaxed by future growth.

"My impression is that we'll run out of water before we run out of land, so we need to take a closer look at our planning and how our water supply plays into that," he said. "Water is cheap and land is expensive, and it's important that we are made aware of our water resources and make sure we have enough for our growing population. I want to review the planning we've done and confirm that it properly addresses our water issues."

Loveless mentioned that Tooele County is around the same size as Massachusetts, which means there is ample room for more growth, and therefore, more concern for where all the needed water will come from.

"The current projection is that the Tooele Valley will max out at 100,000 to 150,000, and the valley's already at a population of 60,000," he said. "The hard part will be finding enough high-quality water to support all the development. Most of Rush Valley's water is poor quality, and Skull Valley's is limited. The best water is in the Tooele Valley, which is where all the growth and development is taking place."

Looking at long-term projects, Loveless said he is excited for construction of the Mid-Valley Highway, which will be a new alternative for travelers wanting to reach southern Tooele County more quickly from I-80. He said the new route will bypass Tooele and help alleviate traffic on the city's Main Street, as well as provide better all-around traffic flow for the west side of the valley.

"The new route, which has four different options as of now, will easily connect to places like the Tooele Industrial Depot and Miller Motorsports Park, and travelers will be able to avoid having to go through Tooele traffic," Loveless said. "It will also encourage development in the mid-section of the valley, and alleviate the traffic load coming off of the Lake Point exit on I-80."

He also mentioned that an environmental impact statement for the Mid-Valley Highway will be due in 2009, and that the public will have the opportunity to comment on the project throughout the summer of 2008. In addition, Loveless is also working on a plan to manage flood control and creek drainage from Middle Canyon Creek.

Loveless said he is mostly focusing on learning the ropes of his new job and getting to know his engineering department staff of 35 employees.

"I don't know yet how I will interface with other departments, and I'm focusing on trying to learn my job and develop a good relationship with my employees," he said. "Because it's part of my job to do duties as assigned, I'm also doing anything the county commission asks me to do, and I'm glad to have such good people working for me."

Loveless said he hopes to make a major impact on the community that will be remembered in years to come.

"I want to look back on the work I did with the county and feel like I had a significant role in how the community changed and grew," he said. "I hope to build a strong community here and benefit the residents by bringing them a great capacity of information. I currently plan to hold this position until I retire, which I expect will be in 10 years, so I want to give Tooele County not only the last 10 years, but hopefully the best 10 years of my career."

dougrad@tooeletranscript.com

The Salt Lake Tribune

Causeway claims

Public Forum Letter

Article Last Updated: 12/21/2007 07:03:01 PM MST

Local and state government representatives are making plans to develop a causeway cutting across Utah Lake. This proposed development is being touted as the solution to Utah County's burgeoning population as well as an environmental solution to the long-abused Utah Lake ecosystem.

In fact, this "solution" for growth will only facilitate more growth by helping developers. It is no surprise then that Dave Gardner, a developer who owns more than 3,000 acres on the west side of the lake, is one of the causeway's biggest advocates.

The proposed causeway is diametrically opposite to rehabilitating Utah Lake - one of the largest freshwater bodies west of the Mississippi. The causeway would not only destroy the natural and complex ecosystem of Utah Lake, but it would also fundamentally change the character of Utah Valley.

If you are opposed to a causeway cutting through Utah Lake, please express so by contacting the following governmental representatives: Kenneth Sumsion (ksumsion@utah.gov); Steve Clark

(sclark@utah.gov); Cindy Richards (cindylourichards@aol.com); and U.S. Rep. Chris Cannon (cannon.ut03@mail.house. gov).

Andy Wakefield Orem

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Dirty water discovered in Thaynes Canyon

by Jay Hamburger OF THE RECORD STAFF The Park Record

Article Launched:12/18/2007 04:14:32 PM MST

The Public Works Department is investigating complaints about discolored water in Thaynes Canyon and is urging people no

According to Kathy Lundborg, the water manager, the calls started on Friday and increased the following day. Crews flushe discolored water reappeared on Sunday, she says, adding that the discoloration is slowly disappearing.

She says sediment that built up on water pipes appears to be causing the discoloration.

To report discolored water, call 615-5300. The department's investigation is continuing.

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Thursday, December 20, 2007 Forum highlights importance of water resources

| Print |

Janice Peterson - DAILY HERALD

The world has only a small amount of usable water, and Utahns must be careful with the little allotment they have, said a Brigham Young University professor Wednesday night.

Biology professor Mark Belk spoke at the monthly Utah Valley Sierra Forum meeting about the importance of handling water with care.

The UVSF is associated with the Sierra Club, which focuses on enjoying and protecting the planet, said the group's chairman, Jim Westwater. The forum focuses on a healthier and sustainable Utah Valley and Earth, and preserving water goes hand-in-hand with that principle.

"Water is a very, very important issue here in Utah, the West and around the world," he said.

Belk said the Earth is known as the blue planet, and images from space often focus on big, blue oceans. Although the Earth has abundant water, Belk said its inhabitants have an incorrect view of how much is available.

"We get the impression that there's lots of water around, and there is," he said. "But not for us."

Belk held up a 20-ounce bottle of water representing all the water on the planet. He poured a small amount into a 1-inch tall cup, saying this was the only usable water on Earth, as 95 percent of the earth's water is unusable saline.

The fresh water on the Earth is important to humans, Belk said, but it is also important to the biodiversity all around. In order to find a high diversity of plants or animals, one must go to a source of fresh water.

"Fresh water is disproportionately important to this biodiversity we have," he said.

The importance of fresh water can be seen in recent events with a drought in the southeast area of the country, Belk said, or in the desire to pump western aquifers to supply Las Vegas with water.

As important as energy conservation is in politics today, Belk said fresh water will be an even bigger issue in the next 20 years. There are ways to use non-fossil fuels, he said, but fresh water is vital.

"Water either takes energy to convert it from saline to fresh or you have to use what you have," he said.

Belk said fresh water in Utah has been harmed the same way other resources have in the past. The Western United States was once an area of exploitation, he said, and no amount of exploitation was too much.

Species of fish in Utah Lake were eaten to extinction, with only two of the original 14 species still remaining. The Provo River was dyked and diverted to straighten it out in the 1930s by the Army Corps of Engineers, Belk said.

These types of exploitation exemplify the attitude that resources should be used to the benefit of

people.

"The natural thing that happens with that sort of attitude is you divide the world into good species, species that are useful to you, and bad species," Belk said.

Other examples of this attitude are the terms "non-forage vegetation" and "trash fish." These terms put plants and fish into categories based on their usefulness to humans.

There has been a recent shift in the way people think, Belk said, and now more people are concerned about how to reverse the damage done to the environment.

It is difficult to divert a river back to its original path, he said, and Utah Lake has become polluted from waste that was deposited there for years.

Belk said it is impossible to not influence the environmental systems, but it is important to be a good steward over the resources available. decisions, he said, should not be made based on one's personal interests, but based on what is best for the future.

"We have to develop this stewardship," he said. "There are good ways of interacting with and being part of the environment."

Tony Tsosie, a member of the forum, said it is important for people to return to the natural, basic way of living that requires fewer resources. It is everyone's world, he said, and everyone is affected by what happens to the Earth.

"I think [reversing the harm on the environment] is on the individual level," he said. "It has to be."

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Printable Version Page 1 of 2

Valley rivers not recommended as wild, scenic

By Karen Lambert

Not a single river in Cache Valley is currently recommended as wild and scenic by the Utah State Forest Service.

Most notable among those not on the list is the Logan River, which was removed due to additional dams considered on the river as far back as 1921, said Cathy Kahlow, Utah State Forest Service team leader.

Currently Kahlow said the rivers recommended as wild and scenic all have outstanding features, but don't have water projects under consideration.

Between 1921 and 1924, eight projects along the Logan River were considered by the U.S. Department of Agriculture and U.S. Bureau of Reclamation.

"They have not told us whether they still plan to do that or not," Kahlow said. "So we're hoping through this project that they'll get more specific on what they want to do, where and when and if."

Todd Adams, assistant director of Utah's Division of Water Resources, said his agency submitted the information on the projects once considered by the Department of Agriculture and Bureau of Reclamation just to get all the history on the table.

"There's nothing in the works on them," Adams said. "(The projects have) been looked at before."

Kahlow said if those agencies make it to the Forest Service, and they are no longer doing projects on the Logan River, it would move to the recommended list. That is, unless some other approved project came out of the works.

Adams said the designation — wild and scenic — which means the river must remain free flowing, would impede possible future projects to provide for water needs.

However, he didn't take a position for or against the federal designation.

"I grew up in Logan and I enjoyed Logan Canyon as much as anyone," Adams said, "But I do understand we need to preserve what we have, both on the river side and on the water end of it."

Mark Danenhauer, Rivers Solutions Coordinator with the Utah Rivers Council, is among the advocates for deeming some of Utah's most beautiful rivers wild and scenic. Currently, Utah is one of only 12 states in the U.S. with no such designations.

Since 1990, the Forest Service has determined 86 river segments in Utah eligible for the title. After further research, it recently recommended about one-fourth of those eligible for the federal protection.

Danenhauer said there's strong public support for at least half.

Danenhauer said among his concerns with the current report is the failure of the Forest Service to include comment from the public in its recommendations.

"I know there were thousands of individuals who gave comment," he said. "It seems like there are a whole bunch of people who really loved the Logan River and expressed support for it."

Rarely are public comments included extensively in the document at this point, but they will be included in the final proposal, which comes out next year, Kahlow said. The comments are currently posted online on the Forest Service's Web site.

The Forest Service will hold additional public hearings Jan. 8 through Feb. 6, but none will be held in the Logan area.

Comments are accepted online at http://www.fs.fed.us/r4/rivers. Information on meeting times and wild and scenic rivers is also on the Web site.

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The Salt Lake Tribune

Fluoridated-water war flows on

State representative says company's clients don't want the additive on tap

By Cathy McKitrick The Salt Lake Tribune

Article Last Updated: 12/15/2007 09:35:57 AM MST

To fluoridate or not to fluoridate. The battle rages on.

At least in the eastside Salt Lake Valley community of Holladay and in the mind of state Rep. Sylvia Andersen, R-Sandy.

Holladay is where faucets servicing 15,000 residents still dispense nonfluoridated water - despite a 2000 voter mandate.

Andersen, for the second year, is floating legislation that would allow small, private water companies to vote to opt out of fluoridating their water. She defines small as fewer than 5,000 connections. Holliday Water Co. currently services just under 4,000 connections

It's not that the city's supplier can't provide.

Holliday Water has \$250,000 worth of fluoridation equipment sitting idle. It has yet to throw the switch.

Despite the county mandate, General Manager Marlin Sundberg says he's honoring the will of his constituents: 78 percent of the company's 3,000 shareholders voted against fluoridation.

"There's a desire by the people who own this private company to make their own decisions about additives to the water - rather than having an outside government entity telling them how to run their business," he says.

In 2006, Salt Lake
County sued both Holliday Water and its
users association, hoping to get a court
order to force the privately owned company
to comply. That case is unresolved.

Public health officials
- proponents of community fluoridation are keeping an eye on Andersen's bill
and the county's lawsuit.

"Water fluoridation
has a proven record of reducing dental
decay. We want to see as much of the
population covered as possible," says Royal
DeLegge, environmental-health director for
the Salt Lake Valley Health Department.

That's already happening, Holliday's Sundberg maintains.

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His company's

water contains naturally occurring fluoride that equates to just over half the mandated level, he says. And, he points to the east-side city's older population.

"Fluoridation for children's teeth doesn't play a great role for 80-year-old ladies," Sundberg says.

T.J. Tsakalos, deputy district attorney for Salt Lake County, says Holliday's fluoride fight affects more than just its 15,000 users.

"Salt Lake City Water and Holliday Water exchange water back and forth, so there are millions of gallons of water flowing monthly between the two entities," says Tsakalos, who hopes the court says Holliday Water must "fulfill the mandate of the voters."

cmckitrick@sltrib. com

Voters in 2000 approved a measure supporting fluoridation of all public drinking water.

Following that vote, water providers serving 3,000 customers or more were required to fluoridate.

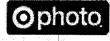
Privately owned Holliday Water Co., with 15,000 customers on 4,000 connections, balked; the case ended up in 3rd District Court and could be resolved by the end of February.

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Morning News

Colorado River pact smart

Deseret Morning News editorial

Published: December 17, 2007

Interior Secretary Dirk Kempthorne may want to enter the diplomatic corps when his political appointment expires.

After all, he brokered a 20-year agreement among seven western states that share Colorado River water, effectively setting aside age-old disputes over the use of the resource. The agreement, signed late last week in Las Vegas, requires participants to conserve and share the water. However, it provides assurances to upper basin states, including Utah, that their river allocations are secure.

This was the political equivalent of herding cats, a remarkable feat all the way around.

Perhaps the only constituency that may not like the agreement are water attorneys. The plan, which covers Utah, California, Arizona, Nevada, Wyoming, Colorado and New Mexico, resolved several legal disputes and committed member states "to address future controversies on the river through consultation and negotiation before ... litigation," Kempthorne said at a press conference to announce the deal.

The plan encourages water conservation but also provides much-needed water storage in Lake Mead reservoir for lower-basin states California, Nevada and Arizona. Previously, these states operated under a "use it or lose it" mandate. Meanwhile, the agreement also establishes rules to allow Lake Powell and Lake Mead to rise and fall in tandem to better address the risk of drought.

Kempthorne, wisely, steered clear of the politics of global warming, acknowledged that the Earth is warming and that the Western states would be best served by determining how the phenomena would affect Western water supplies. The agreement also addresses water allocations in times of surplus. Those rules encourage conservation, too.

While conservation in times of surplus may seem unnecessary, signers of this agreement are painfully aware of drought conditions worldwide, but in the West specifically. Five of the seven Colorado River basins are expected to decline by more than 15 percent during the 21st century.

The Department of Interior is also working with Mexico to resolve issues over Colorado River water that crosses the border. There should be great optimism that those matters can be satisfactorily resolved. As Kempthorne explains, "If the seven states of the Colorado River basin can get together and work out a deal, then surely anybody can."

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The Salt Lake Tribune

Sharing shortage: Colorado River deal is hopeful

Tribune Editorial

Article Last Updated: 12/16/2007 11:53:49 PM MST

When leaders from the United States, Mexico and seven Western states divvied up the waters of the Colorado River in 1922, they didn't realize they were living in a wet cycle. The Hoover and Glen Canyon dams had not been built. Phoenix and Salt Lake City were glorified cow towns, and Las Vegas hadn't risen from the sage.

My, how things have changed, some for the better, some not. In the latter category, there isn't as much water in the Colorado River.

Since we Westerners have a nasty history of going to war in the courts over water, it is good news that the Department of Interior, state and local water officials and other assorted poohbahs have hammered out a new agreement to manage the Colorado in a drought. If the latest studies on the river's history and the possible effects of global warming are correct, drought is now the norm, not the exception.

The new agreement will not mean that the upper-basin states -

Wyoming, Utah, Colorado and New Mexico and the lower-basin states - Nevada, Arizona and California - will escape the need to change our water-wasting ways. We won't. We'll all need to conserve, to re-allocate, to recycle, to adapt ourselves to desert living.

What it does mean is that we might get through this without lobbing so many lawyers at one another; it is costly and, in the end, produces no more water.

At least that's the hope. And we may even be able to manage the water more rationally.

For example, the new agreement will allow Lake Powell, which holds water in the upper Colorado basin, and Lake Mead, which holds water in the lower basin. to "rise and fall in tandem, thereby better sharing the risk of drought." That's how Interior Secretary Dirk Kempthorne put

Water levels in Lake Mead will trigger cutbacks in deliveries. The lower basin states will be able to negotiate among themselves how to share the pain of shortages rather than running off to court. They also will be able to store water in Lake Mead from year to year without losing it under an old "use it or lose it" doctrine.

The upper-basin states, whose water rights are junior to those of California, will have greater assurance that

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The Salt Lake Tribune

their allocations are secure. We'll all drink to that.

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Morning News

Reservoir to do double duty

It will provide recreation and water for lawns

By Amy Choate-Nielsen Deseret Morning News

Published: December 16, 2007

Herriman and Riverton residents will have a new way to water their lawns this spring — and one more place to go fishing.

When it is completed, the Blackridge Reservoir — a seven-acre secondary irrigation pond being built by Herriman and Riverton in the Rosecrest area of Herriman — will supply Herriman's new secondary irrigation system and bolster Riverton's water pressure. With a sandy beach, freshly stocked fish and an open invitation to go swimming, the reservoir also is expected to become an aquatic oasis on the west bench.

"We're pretty excited about it," said John Stillman, water department director for Herriman. "To be able to provide secondary, outdoor water use will be great. It's pretty expensive to throw (culinary water) out on the grass. Utah is one of the second-driest states, and we're one of the heaviest water users. It's hard to keep a desert green."

The pond, named for its proximity to a ridge of lava rock in the area, will provide water to about 56 percent of Herriman, Stillman said, though piping for the reservoir doesn't yet run throughout the city. Herriman has a plan to get the entire city on secondary water within 10 years, Stillman said.

The cities plan to build a sandy beach around the water's edge and keep the reservoir stocked with bass, catfish and rainbow trout. Swimming and paddle boating will be allowed, but motorized boats will be prohibited.

Water from Utah Lake will flow to the Welby Jacob Canal, then into the Blackridge Reservoir during the day and out onto residents' lawns at night. Both Riverton and Herriman have chipped in \$3.5 million per city to pay for the reservoir's pipeline and easements, but the reservoir is being built in Herriman because it's at a higher elevation.

Riverton approached Herriman with the idea for the project about two years ago because Riverton has been having problems with water pressure in some areas of the city. Some residents have been having problems watering their yards, said Riverton water director Scott Hill.

Riverton already has secondary irrigation plumbing throughout the city, but the added water source will help complete the areas that currently have weak pressure.

"This is the icing on the cake for Riverton," Hill said. "We've been doing this since 1999, and this is the last hard portion to make us 100 percent."

E-mail: achoate@desnews.com

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The Salt Lake Tribune

Scientists want to flush water past Glen Canyon Dam again

The release aimed at building up sandbars has failed in the past

By Patty Henetz The Salt Lake Tribune

Article Last Updated: 12/13/2007 01:37:36 AM MST

LAS VEGAS - A hard-won agreement to manage Colorado River flows during drought is expected to become official this morning when Interior Secretary Dirk Kempthorne signs the final record of a decision on a U.S. Bureau of Reclamation environmental study.

The signing means a major adjustment to the 85-year-old Law of the River to avoid having to renegotiate the agreement between seven states: Utah, Colorado, New Mexico and Wyoming in the upper basin and California, Arizona and Nevada in the lower basin. The document will manage water sharing between the two basins, with the lower basin having more people and older rights.

The Bureau of Reclamation began the environmental study in 1999. Since then, the river basin has experienced the worst drought in 100 years of recorded history,

and its two largest reservoirs - Lake Powell and Lake Mead - have gone from being nearly full to just over half-full.

- Patty Henetz

LAS VEGAS - Flushing water through the Glen Canyon Dam to try to build up sandbars, beaches and backwaters hasn't worked in the past, but that's not a deterrent to federal scientists who want to try again.

Speaking during a meeting of the Upper Colorado River Commission, U.S. Geological Survey scientist John Hamill said plans are afoot to release 41,500 cubic feet per second of water from behind the dam into the river below for 60 hours.

The release would be a way to incorporate previous results from other experiments to try to find a way to sustain sand flow in a healthy way in the river to discourage exotic invasive vegetation and create safe harbors for species including the endangered humpback chub, said Hamill, chief of the USGS monitoring and research center in Flagstaff, Ariz.

The Upper Colorado River Commission, which manages the Colorado River rights for Utah, Montana, New Mexico and Colorado, met during the annual Colorado River Water Users Association meeting. The association includes the lower basin states - California, Arizona and Nevada - that have prior rights on the river and hold the balance of power over the entire river system's allocations.

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The U.S. Bureau of Reclamation, which already has spent more than \$200 million seeking ways to counter the dam's downstream damage, is actively planning for the release, even though a 2005 USGS report said 13 years of similar efforts had been unsuccessful.

Previous attempts have either blasted away the sand that had accumulated naturally from tributary inflow, or simply didn't deposit any sand. This time, Hamill said, the river below the dam is relatively sandy, and changes in Grand Canyon management have allowed warmer water and more sediments to flow through the dam.

The technique is called "adaptive management," kind of a learn-as-you-go series of experiments designed to run over the long term. The 2008 test would be a synthesis of previous experiments, including a test in summer 2000 where dam releases were kept at a steady 8,000 cubic feet per second from June 1 to Sept. 1.

Hamill said that resulted in water temperatures in backwaters and shallow shoreline habitats reaching about 50 degrees Fahrenheit - the river below the dam is usually about 20 degrees Fahrenheit. The steady release also limited sand drift downstream and kept healthy a population of humpback chub that had been moved near the mouth of the Little Colorado.

Still, there's a limit to building up sandbars; it is only possible if there's already a lot of sand in the river - and there's not.

Scientists acknowledge that the tributaries that feed the Colorado River below the dam, such as the Paria and Little Colorado. don't provide enough sand to keep ecosystems healthy.

And as Lake Powell sediments become increasingly polluted, just sending them down-river isn't a good answer, either, said Living Rivers director John Weisheit. The only solution, he says, is to remove the dam.

Built in 1963, Glen Canyon Dam has provided water and power for the West. The sand-flow issue must be resolved - both because of the need for sandbars in the Grand Canyon, and because the buildup of sediment in Lake Powell will eventually threaten the reservoir and the functions of the already-impaired hydropower plant.

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he Salt Lake Tribune

Scientists want to flush water past Glen Canyon Dam again

The release aimed at building up sandbars has failed in the past

By Patty Henetz The Salt Lake Tribune

Article Last Updated: 12/13/2007 01:37:36 AM MST

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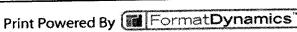
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The Salt Lake Tribune

Wild and scenic

Public Forum Letter

Article Last Updated: 12/12/2007 11:41:08 PM MST

The state of Utah has an unprecedented opportunity to protect its property. Wild and Scenic River designation is one way we can continue to treasure our lands well into the future. Utah is one of the most incredibly scenic states, yet one of only 12 without a designated Wild and Scenic River.

However, the citizens of the state can now change this embarrassing situation. The Forest Services and the BLM have recently completed eligibility studies, and the state has only to decide upon the suitability of these choices prior to the formal designation process by Congress. Rivers such as the Green can be retained in relatively pristine condition. Waters designated as Wild and Scenic have historically improved in terms of water quality, which positively impacts both wildlife and humans living within the corridor. Designation can reduce the expense of water treatment for towns downstream and provide habitat vital to indigenous species.

The Green River alone has 400 eligible river miles. Protecting the full length of the Green will not only put Utah first, but provide

cleaner water for millions of acres of wilderness and the many people who use and value these waters.

Jan Ellen Burton Salt Lake City

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Salt Lake Oribune

Challenges of drought

Utah, six other thirsty western states cut a Colorado River use deal

By Patty Henetz The Salt Lake Tribune

Article Last Updated: 12/14/2007 07:14:18 AM MST

LAS VEGAS - The seven states in the Colorado River Basin have a deal.

The hard-won agreement to manage Colorado River flows during drought went into effect Thursday morning when U.S. Interior Secretary Dirk Kempthorne signed the final version of the document that sets out how states will negotiate water use during shortages.

During a signing ceremony that drew a standing ovation at the Colorado River Water Users Association annual meeting here. Kempthorne said an agreement to share sacrifice was crucial to reaching consensus.

"There will be no true winners unless everyone gets something and everyone gives up something," he said. "The level of trust generated in this process was a key catalyst in its success."

The states had been crafting incremental

decisions on how to manage the river when former Interior Secretary Gale Norton in 2005 told the U.S. Bureau of Reclamation it had until the end of 2007 to come up with a way to avoid a potentially ruinous water war between the basin states.

Meeting the deadline was a significant accomplishment, especially with water supplies dropping steadily during a drought with no end in sight.

Final evaluation of the document went into the wee hours of Wednesday night as water managers got their first chance to review the details of Kempthorne's ultimate take on an environmental impact study's findings released in October.

The record of decision agreement focuses on the three states in the lower Colorado basin: California, Arizona and Nevada, whose water rights are senior to those of the upper states Utah, Wyoming, Colorado and New Mexico. It is to remain in effect through

The new plan lays out how the three lower-basin states will share the pain of water shortages. It also provides for keeping Lake Powell and Lake Mead levels in balance and introduces flexibility to the Law of the River - also known as the Colorado River Compact - that was struck in 1922 so the states don't have to go to court as a first resort to settle disputes.

"One of the fears of the upper basin was that we would issue a compact call that would explode everything," said Jeff

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ie Salt Lake Tribune

Kightlinger, general manager of the Metropolitan Water District of Southern California.

A side provision will make it possible for lower basin states to store water in Lake Mead but not lose it if it's not used right away. That's a huge advantage for California, which has no other way to store Colorado River water but whose water rights trump all the others. The provision also will provide an incentive to conserve, Kightlinger

Negotiations also included governmentto-government agreements with dozens of Indian tribes and Mexico.

In his speech, Kempthorne said the agreement served as an example of cooperation and consensus to the rest of the nation, where states not used to drought are running out of water and suddenly are at one another's throats.

"If the seven states on the Colorado River can get together and work out a deal, anyone can," he said.

In the past decade, the river basin has experienced the worst drought in 100 years of recorded history, and its two largest reservoirs - Lake Powell and Lake Mead have gone from being nearly full to just over half-full.

Larry Walkoviak, the Bureau of Reclamation's Upper Colorado regional director, noted Thursday that the entire Colorado basin had about 60 million acrefeet of water stored in 1999; today there is about half that. An acre-foot is 326,000 gallons, enough to supply up to two families for a vear.

The bureau's final environmental impact statement implicitly acknowledged that the Colorado River Compact is based on estimates from unusually wet years and it assumed ongoing shortages as the drought continues.

Kempthorne didn't directly address the role climate change is playing and will continue to play with the river agreement. But it's there, looming over the basin.

"The simple fact is, the Earth is getting warmer," he said.

phenetz@sltrib.com

A milestone on the ColoradoA landmark Colorado River water-sharing agreement signed Thursday means the 1922 Law of the River, also known as the Colorado River Compact, can adapt to drought years.

- * The three lower basin states -California, Nevada and Arizona - can now negotiate how to share the pain of water shortages rather than seeking court action as a first resort.
- * Lake Powell and Lake Mead will equalize their storage capacity to avoid potential shortages in the lower basin.
 - * Lower basin states will be able to use

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Lake Mead as a storage reservoir - they previously operated under a "use it or lose it" mandate - which will be an incentive to conserve.

* Upper basin states - Utah, Wyoming. Colorado and New Mexico - have greater assurance their river allocations are safe.

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7 states sign historic water agreement

Compact apportions Colorado River, aims to ease drought risk

By Joe BaumanDeseret Morning News

Published: December 14, 2007

An agreement signed Thursday to help the seven Colorado River states cope with drought is historic, says the director of the Upper Colorado River Commission.

Don Ostler, whose four-state commission is based in Salt Lake City, was present in Las Vegas to see the agreement signed by Interior Secretary Dirk Kempthorne and representatives of all states in the Colorado River Compact. The compact apportions water among the seven states using the river: Utah, Arizona, California, Colorado, Nevada, New Mexico and Wyoming.

"It's without a doubt the most significant agreement on the Colorado River since the original agreement (the Colorado River Compact) was signed ... in 1922," Ostler said.

Adjustments have been made to the agreement in the past 85 years, but they weren't as significant as this, he said. "So yes, it's been a historic, exciting" time.

According to the U.S. Bureau of Reclamation, the agreement provides that:

- Specific water levels of Lake Mead, which is in Nevada and Arizona, will be used to determine when a shortage is declared for the Lower Basin states Arizona, California and Nevada. By shortage, the agreement means less than 7.5 million acre-feet available for those states.
- Reservoir conditions in Lake Powell (Utah and Arizona) and Lake Mead will determine the operation
 of the two reservoirs. Those operations, according to a press release, are intended to "minimize
 shortages in the Lower Basin and avoid the risk of water delivery curtailments in the Upper Basin."
- A mechanism will be set up to encourage and account for augmenting and conserving water supplies in Lake Mead to "minimize the likelihood and severity of potential future water shortages and to provide additional flexibility to meet water use needs, particularly under low reservoir conditions."
- Interim surplus guidelines established in 2001 are "modified and extended through 2026."

In prepared comments released by the Interior Department, Kempthorne said drought conditions in America and around the world threaten to worsen. "Here in the West, for example, runoff in five of the seven Colorado River Basin states is projected to decline by more than 15 percent during the 21st century."

If the region becomes warmer and evaporation increases, "we could face a situation in which the amount of precipitation we are receiving today produces significantly less runoff in the future."

The department secretary said he was impressed by the conservation measures, such as the agreement that allows water users to obtain future credit for conserving water and leaving it in Lake Mead. "It also sets up a framework to allow cities to contract with willing farmers to temporarily fallow fields in dry years while respecting the basin's agricultural heritage," he said.

Perhaps most important, Kempthorne added, the agreement among the seven states has a "key provision" that future controversies surrounding Colorado River resources will be handled among the states through consultation and negotiation, before any states resort to litigation.

He added that the department is working with Mexico to resolve issues concerning Colorado River water that crosses into Mexico. Under the compact, the republic to the south is guaranteed water from the system.

Ostler said that without the agreement, water users faced a high possibility that lawsuits would involve any or all of the compact states. The resulting "legal conflict" could drag on for years, and the fight would not only be costly but would tie up development plans.

Under the new arrangement, operations of Lake Mead and Lake Powell will be coordinated so that both should rise and fall together to an extent, "while still preserving the Upper Basin's allotment of water."

Ostler characterized the agreement as giving to each state and taking a bit from each state. The most important part is that it heads off "this legal conflict that was looming."

The water agreement protects the Upper Basin also, he said. For example, if Lake Mead is high and Lake Powell low, Powell could reduce its releases. "In the past, the releases would just be set and it would happen," he said.

Ostler thinks the waters of the United States would not suffer environmental damage because of the new operations. He added, "I think the next step ... would be to develop plans with the government of Mexico" for a new agreement there.

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Tribal members against proposed wetland plans

Preston McConkie PLEDGE TO HELP MYTON FIGHT

"We need to get to the bottom of this." - Stewart Pike

Two members of the Ute Indian Tribe, including one former member of the tribal Business Committee, say they want to rally other Utes to join the fight against a federal-tribal plan to build wetlands near Myton.

Except, as both men are quick to point out, the plan isn't exactly "tribal."

LeRoy Topanotes and Stewart Pike both grew up in the Myton area, and live there still. Both also say they get frustrated by media stories that refer to decisions of the Ute Tribe's Business Committee as actions of "the tribe."

"Every time the non-members get after the tribe leaders, they say 'The tribe wants it done,'" said Pike, who served on the business committee from 1984 to 1995. "But when you say tribe, are you talking about the people, or are you talking about six business committee members? The don't have any right to say they're the tribe; the tribe is the people."

Referring to the Lower Duchesne River Wetlands Project (LDWRP), which a federal agency has said it may announce final plans for in January, Pike said the tribe as a whole has never expressed a desire to have more swamps along the Uintah-Ouray Reservation. The project is part of the 1992 Central Utah Project Completion Act, which mandated "mitigation" work to restore wildlife habitat affected by the damming of Uintah Basin rivers.

"It isn't actually the tribe that wants it, it's actually the Business Committee that wants it," said Pike. "It's pretty common when these federals want something, they'll scratch the business committee's backs. But they didn't come over here to the community to ask anybody what they want, Indian or non-Indian. The people they're hiding behind don't even know what's going on.

"I would venture to say there are well over a hundred tribal members living in the city limits of Myton, and I bet you that 99 percent of them didn't know about the project, or the effects of the project, before they read about it in the paper," Pike added.

Topanotes, who attended high school with Myton Mayor Kathleen Cooper, said he hadn't visited with her for many years until he came by her home to say he was joining the fight against the wetlands plan. At a second meeting with Cooper, Topanotes joked about the urban-white vision of American Indians as people who yearn for a return to primitive conditions.

An example of such assumptions is an Oct. 26 broadcast story on the wetlands issue on Salt Lake's Channel 4 television, read by a reporter who had no time to speak with anyone from the tribe: "But many who belong to the Ute Indian Tribe are in favor of restoring reservation wetlands drained by the damming of sections of the Duchesne River. Representatives of the tribe could not be reached for comment Friday."

"People in Salt Lake ask me, do you still wear your leather clothes and ride your horses?" Topanotes said with a chuckle. "I point to my truck and say, that's my horsey."

Referring to the modern potential threat of West Nile virus being spread from swamp-spawned mosquitoes, Topanotes said: "We don't want disease. We've got that civilized."

Topanotes also doesn't want to lose the mineral rights he and his family members still own from land homesteaded by his grandfather in the early 1900s.

In a project area of approximately 4,000 acres, with part butting up against Myton's southeast corner, much of the targeted property is farm and ranch land still owned by the descendants of early Ute homesteaders. Tribal land in the project area is former "allotted land" that was sold to the tribal Business Committee since the homesteaders' deaths.

There is also significant privately-owned land in the planning area, but a major difference between such "fee" lands and allotted lands is that Indian homesteaders were given the land's mineral rights, and also allowed to keep their water rights in perpetuity.

Both Topanotes' and Pike's families sold their Myton-area allotted lands to the Business Committee years ago, thus losing their water rights, but the men say they still prize the value of their mineral rights. According to a 2003 draft environmental impact statement issued by the Utah Reclamation Mitigation and Conservation Commission, however, oil and gas exploration or drilling would be prohibited in the wetland area.

Allottees stand to fare worse than white landowners, according to Pike and Topanotes. While those holding fee lands would be paid the assessed fair market value for lands taken for the project, the U.S. Interior Department has no authority to seize or purchase either tribal or allotted lands.

And while BIA officials say the Business Committee has no authority of any kind over allotted lands, according to the EIS the Business Committee would "place conservation easements" on those lands.

The easements would include paying the owners for lost income from farming and ranching leases, but to Topanotes and Pike that doesn't answer the question of how the Business Committee will guarantee land owners' cooperation. According to BIA officials, it takes a "super majority" of owners to authorize sale of allotted lands, and ownership is divided among all living descendants of the original homesteaders.

With controversy running high among tribal members about what authority the Business Committee has under the tribal Constitution, and with the council recently passing what some call an unconstitutional law making it harder to mount recall elections against committee members, Topanotes and Pike worry that the committee may have pledged itself to exercise authority it doesn't have in order to carry out the wetlands project.

The men also point out that the project would undo generations of cooperative work between Utes and whites to drain the swampy land around Myton. Area lore includes stories from the 1930s when caskets emerged from the ground in the city cometary due to the high water table.

"My dad was asked permission to drain his land," Topanotes said. "The allottees got together and went to Ft. Duchesne and voted to pay matching funds to build drains. The allottees said, it's our problem too. (Whites and Indians) both said yes. If we hadn't, those drains would never have been built."

Topanotes and Pike expressed worry that the wetlands project would lead to needless resentments between Utes and whites. Both also said they were disturbed by remarks made in October by Ron Groves, the Business Committee member who is also chief planner for the LDRWP.

At an October meeting of the Duchesne County Council of Governments, Groves fended off questions about his role in the wetlands project and said at one point: "You and I will never be the same. I know how much you try to make us be Americans, but we will never be the same."

"He is speaking for himself," Pike said. "The way I look at his comments, we grew up here on the reservation, our parents and grandfathers did, and they understood, I guess, the meaning of 'American.' Other people may have a problem with that, but in my view, as long as the 'Native American' stands first, that way we're viewed as being local or first. But we're Americans."

Both Topanotes and Pike say they will be part of a public meeting, expected to be held in January, where Myton officials, ranchers and residents both Ute and non-Ute, hope to organize opposition to the wetlands project. Myton City has already retained attorney Craig Smith, whom Mayor Cooper says is "looking at our options," though no action has been announced.

Pike said he is willing to join the fray, whatever may come.

"If there's a class action lawsuit filed, I'll get right up with it," Pike said. "I have no problem with that. We need to get to the bottom of this."

Centerville delays water rate increase, investigates options

Jenniffer Wardell

CENTERVILLE — The city's water rate is going to stay put for a little while longer.

A proposed water rate increase of about \$2.35 has been temporarily tabled after a protest that the increase would be unfair to the city's west side. City staff are currently working to outline the specific impact and consider possible ways to ease the problem, some of which they will bring to the council at their Dec. 18 meeting.

According to Donald Youngblood, who owns property on the city's west side and brought a petition signed by 30 neighboring property owners to the meeting, all landowners west of I-15 lack access to Weber Basin's secondary wat-er. They do all their landscaping with culinary water, which is affected by the rate increase and would significantly increase their monthly water bills.

The petition asked that the water rate in that area of the city be lowered, due to the area's lack of services.

Though that particular solution is unlikely to happen, city staff are currently exploring other options that may give the west side a break in the face of the current increase. According to staff, however, that increase continues to be necessary.

"What we've proposed will generate the figures we need to support the project and cover inflation," said Centerville City Manager Steve Thacker.

This is only the second rate increase in Centerville since 1990, when the city fully updated their water facilities. The most recent rate increase was in 2002, and included both a dollar increase for repair and replacement of existing waterlines and a \$2.30 fee to cover the cost of fluoridation and equipment.

The question of how to help the west side is complicated by the fact that an east side neighborhood, Casa Loma, also has no access to Weber Basin's secondary water. The neighborhood was built before Centerville made it mandatory for developers to include access to secondary water systems.

Another neighborhood had been in a similar situation until a few years ago, when residents got together and went to the city with a plan to get secondary water access. A special improvement district was created, and residents are paying back the city over the next 10 years.

"They were proactive. They came to the city and took the initiative to get something done," said Thacker.

Though the west side could do something similar, it would cost more because of the need to drill several hundred feet beneath the freeway and railroad tracks.

"It would be expensive," said Thacker. "But it's still possible."

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Tuesday, December 11, 2007

IN OUR VIEW: A road across Utah Lake

| Print |

Daily Herald

The Legislature should fund a preliminary study of a 7-mile-long bridge or causeway across Utah Lake as a step toward development of the west side.

Whether it should cost \$5 million, as proposed by Reps. Steve Clark, R-Provo, and Kenneth Sumsion, R-American Fork, is another matter. The pair would like to allocate that amount in the coming state budget for a study. It seems like a lot to us.

While a causeway is perhaps inevitable as land on the west side of the lake develops, the question now is one of timing. Whatever merit may be found in the notion of "If you build it, they will come," a project of this magnitude, built too early -- too far ahead of demand -- could leave taxpayers with a very expensive albatross around their necks.

Such a bridge has been suggested many times in the past, but nothing has come of the idea. The need, however, is growing.

Utah County's population is expected to nearly double in the next two decades. Traffic is bogging down at some points already. The Mountainland Association of Governments and other agencies have been pleading for more roads, especially east-west arteries, to handle the traffic.

A lake bridge would feed future large communities on the west side. Right now, land over there is somewhat less desirable because of the long drive required to get around the lake. At times it can take a painfully long time to go from Provo to Eagle Mountain or even to Saratoga Springs. A causeway would greatly speed up that drive. And it would help boost development around the perimeter of Utah Lake.

The lake has tremendous potential -- though we hasten to add that a few people have gotten a bit carried away with comparisons to Lake Tahoe. Take a pill, folks. But the lake does have potential. Providing easy access to the west side would help attract homeowners and businesses.

Objections have included potential damage to the lake's ecosystem and the costs of the project. These problems are not insurmountable. For example, some point to the troubled histories of causeways over the Great Salt Lake. We should learn from those mistakes and when the time comes to build, we should do the job better.

The Utah Lake Commission has backed the effort to study a causeway concept, suggesting that the project is environmentally feasible. The commission has said such a span should be built on pilings to avoid altering the chemistry of the waters.

It is estimated that a lake causeway would cost a maximum of \$500 million -- about the same as the 2100 North Freeway UDOT proposes to build across Lehi, and less money than other alternatives for that link. In other words, the price of a causeway over Utah Lake comes in at the going rate for any major road cutting across Utah County.

U.S. Rep. Chris Cannon has hinted that federal funding might help pay for the project. Discussions of the idea have also mentioned the possibility of making it a toll bridge. We have opposed tolls on other

highway projects, but a case can be made for a specialty route such as this. Drivers would pay extra for the premium corridor, or go around the top of the lake for free. To keep traffic moving, E-Z Pass lanes would be needed to automatically charge tolls to specific vehicles.

A study would be worth some investment by the Legislature, adding momentum to other efforts to develop the environs of Utah Lake. With a cause way in the picture, a whole new world of possibilities opens up for economic growth.

Article views: 111

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Weekend storm provides state much-needed water

More snow may be in store for late today or Tuesday

By Nathan C. Gonzalez The Salt Lake Tribune

Article Last Updated: 12/10/2007 01:24:20 AM MST

While area skiers and snowboarders leapt and slid across several feet of new snow, Mother Nature delivered what the area may have needed most: water.

From the Cache Valley in the north to Washington County in the south, many areas statewide received much-needed moisture this weekend by way of sprinkles of rain and up to 4 feet of snow.

"We'll get storms like this periodically. It's not uncommon a few times out of the year," said Mike Conger, lead forecaster at the National Weather Service's Salt Lake City office.

Snow and water totals from the three-day storm recorded throughout the state were impressive.

Brighton Ski Resort amassed the largest amount of snow, collecting 47 inches through 3 a.m. Sunday, according to National Weather Service totals. Melt those flakes, and the area received 2.82 inches of water.

At nearly 9,000 feet, Solitude Mountain Resort received 41 inches of snow, Alta Ski Area received slightly less at 40 inches. The storm brought about 2.6 inches of water to both resorts. In Park City, about 24 inches of snow fell, according to the National Weather Service.

Ahead of the approaching snow on Friday, much of the state received rain, which later changed over to snow into the evening and Saturday morning.

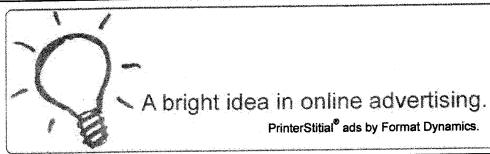
That combination allowed Provo Canyon, which received 34 inches of snow, to collect 3.85 inches of water. Those places that didn't get snow, primarily in southern Utah, got needed rain.

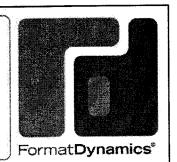
Rainfall in St. George measured .81 of an inch, while a quarter inch was recorded at the Cedar City Airport, according to the National Weather Service. Portions of Zion National Park received up to 1.37 inches of rain.

The precipitation will benefit the state's reservoirs this spring.
Reservoirs as a whole were below 50 percent full in November, according to the Utah Natural Resources Conservation Service.

The storm continued to wreak havoc with power lines, which caused about 10,000 electric customers to lose power on Saturday. By Sunday evening, about 400 customers remained without electricity

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because of the storm, said Dave Eskelsen, a Rocky Mountain Power spokesman.

An additional 400 Sandy residents were also without power at about 8 p.m. Sunday, five hours after an underground distribution cable failed. Eskelsen was unaware whether that outage was related to the storm.

Rocky Mountain hoped to have the lines restored overnight.

Meanwhile, forecasters are looking ahead.

"There will be a chance of snow back in the state late Monday into early Tuesday," Conger said of the next approaching storm.

Thus far, weather models show that most precipitation will fall in southeastern Utah where a rain/snow mix is possible, Conger said. Up to 2 inches of snow in high valley locations and between 6 to 12 inches of additional snow in the mountains may fall into Tuesday.

A separate cold front will pass across northern Utah today, bringing mostly cold air and a dusting of snow to the valleys.

"It will bring very cold air, but not a lot of precipitation," Conger said.

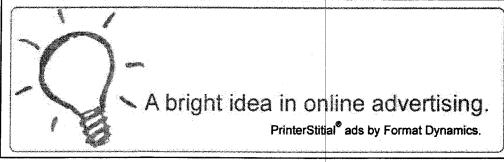
ngonzalez@sltrib.com

Snow totals at area ski resorts reported through Sunday morning by the National Weather Service:

* Brighton: 47 inches

- * Solitude: 41 inches
- * Alta: 40 inches
- * The Canyons: 33 inches
- * Snowbird: 31 inches
- * Park City: 24 inches
- * Brian Head: 7 inches

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Powell pipeline could include hydropower

By Nancy Perkins Deseret Morning News

Published: December 10, 2007

ST. GEORGE — The Utah Board of Water Resources is seeking a federal permit for generating hydroelectric power from the controversial proposed \$500 million Lake Powell Pipeline project.

The state agency filed the application on Nov. 2 with the Federal Energy Regulatory Commission. The application describes three hydroelectric developments that could be constructed in tandem with the proposed 135-mile pipeline slated to bring water from Lake Powell to Sand Hollow Reservoir in Washington County. Kane County and Iron County water users also have an interest in the pipeline project.

"We filed this preliminary permit application because we thought it would be a prudent business move," said Eric Millis, deputy director of the Utah Division of Water Resources. "We are protecting our rights to develop the hydropower of our own (pipeline) project."

The proposed pipeline could include three hydropower developments with the potential to produce 330 megawatts of electricity, enough to light 264,000 homes across the grid, said Millis.

"There is a big potential for power and we didn't want to be the ones competing for our own rights to develop our own project," Millis said. Revenue generated by the hydropower developments would be used to help offset the high ticket price for building the Lake Powell Pipeline project, he said.

Lin Alder, executive director of Citizens for Dixie's Future, said the state "optimistically" hopes that it can afford to build the Lake Powell Pipeline and develop the hydroelectric power.

"It would be exorbitantly expensive," said Alder. "We would have the smallest amount of population paying for the most expensive water project in the state. It's going to die under its own weight."

Millis concedes it will cost more than \$500 million to build the Lake Powell Pipeline Project, and even more to include the hydroelectric power stations. Power sales from the hydroelectric developments would create a revenue stream to help offset the cost of building the pipeline, he said.

"We are still working on the numbers, but hopefully we are close," Millis said. "It really is in our plans (the hydroelectric projects) and some of the cost is already included in that \$500 million."

But Alder said the process has been flawed from the start.

"The process by which this project has been proceeding has kept citizens in the dark," Alder said. "A lack of public dialogue is going to cause a backlash against the project."

Millis said it would take up to four years for the project to move through the environmental and regulatory process required by the federal government.

"There will be many opportunities for the public to comment," he added.

The hydropower projects include Little Creek Development for 18 megawatts; the Hurricane Cliffs Pumped Storage Development that would include two reservoirs and produce 415 megawatts; and the

Sand Hollow Development, which would produce 10 megawatts.

If the preliminary permit is issued the state could begin work on an economic analysis, preparation of preliminary engineering plans and a study of environmental impacts.

Anyone seeking to intervene or compete for the right to develop the hydropower that could be produced from the Lake Powell Pipeline project must file a notice with Federal Energy Regulatory Commission by the end of the year.

More information about the project can be found online at water.utah.gov.

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New Colorado River pact ready to flow

Combined New York Times and Associated Press

Published: December 10, 2007

LOS ANGELES — Facing the worst drought in a century and the prospect that climate change could yield long-term changes on the Colorado River, the lifeline for several Western states, federal officials have reached a new pact with the states on how to allocate water if the river runs short.

State and federal officials praised the agreement, which Interior Secretary Dirk Kempthorne was expected to sign Thursday, as a landmark akin to the Colorado River Compact of 1922 that first divvied up how much water the seven states served by the river — California, Nevada, Arizona, Colorado, Utah, New Mexico and Wyoming — receive annually.

The new accord, outlined by federal officials in a telephone news conference Friday, spells out how three down-river states, California, Arizona and Nevada, will share the pain of river shortages. It puts in place new measures to encourage conservation and manage the two primary reservoirs, Lake Mead and Lake Powell, which have gone from nearly full to just about half empty since 1999.

The accord is expected to forestall litigation that was likely to have arisen as fast-growing states jockey for the best way to keep the water flowing to their residents and businesses in increasingly dry times. It would be in effect through 2026 and could be revised during that time.

Some environmental groups said the pact did not go far enough to encourage conservation and discourage growth. But federal officials said they took the best of several proposals by the states, environmental organizations and others and emphasized the importance of all seven states agreeing with the result.

"I think for the first time in 85 years we are on the same page," said Herb Guenther, the director of water resources in Arizona, which had initially balked at some terms of the agreement and was threatening legal action over it.

But with water levels in reservoirs dropping, a record eight-year drought, the prospect that climate change could bring more dry spells and new scientific analyses suggesting the West could be drier than has been traditionally believed, the states were pushed to act.

These factors "forced the issue to the head, and we decided to do something unique and different," Guenther said.

The agreement, the product of two-and-a-half years of negotiation and study, establishes criteria for the Interior Department to declare a shortage on the river, which would occur when the system is unable to produce the 7.5 million acre-feet of water, enough to supply 15 million homes for a year, that the three down-river states are entitled to.

Water deliveries would be decreased based on how far water levels drop in Lake Mead and Lake Powell. The Bureau of Reclamation, which manages the river system, predicts about a 5 percent chance of such a shortage being declared by 2010, but it all depends on how much the states are able to conserve and, of course, the weather.

The probability projection "does not imply it can't happen," said Terry Fulp, a bureau official involved in

managing the river.

Water districts, anticipating an eventual cutback of Colorado River water, have been storing large amounts of water, and the accord encourages them to continue to do so.

Pat Mulroy, general manager of the Southern Nevada Water Authority, said the new agreement could be especially important when the Colorado River returns to normal flows.

That's when the water authority would be allowed to start using a one-time reserve of at least 400,000 acre-feet of water it would get in exchange for building a new reservoir just north of the Mexican border in California that could cost as much as \$206 million.

The 8,000 acre-foot reservoir, costing as much as \$206 million, would capture canal water that now flows into Mexico.

The pact includes a bundle of agreements with the states, including approval for water managers in the Las Vegas area, which gets 90 percent of its water from the Colorado, to get a greater share of Lake Mead water in exchange for financing a reservoir in California to capture large amounts of river water destined for Mexico but beyond that country's entitlement by treaty.

"It's hugely important for us," said Scott Huntley, a spokesman for the Southern Nevada Water Authority. "This really does provide the bridge for us to get into the next decade."

But John Weisheit, conservation director for Living Rivers, a Utah-based environmental group, said the agreement sends the message to the states that growth trumps sensible water management. Weisheit said the conservation should have been stressed and the government's computer modeling was overly optimistic about future water supply.

"There is more water on paper than there actually is on the landscape," he said. "They are looking at this in a way that will allow more development even though the water is not theoretically there."

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RFK Jr. praises Ogden's river revival plan

Restoration important for what advocate calls the city's 'biggest asset'

By Kristen Moulton The Salt Lake Tribune

Article Last Updated: 12/08/2007 12:16:42 AM MST

OGDEN - River advocate Robert F. Kennedy Jr., looking across the Ogden River toward a backyard filled with old trucks and appliances, saw massive slabs of concrete slumping into the swift-flowing waterway.

The river, he said, is an embarrassment. "It has been hammered."

But later Friday, Kennedy told hundreds of residents that this northern Utah city appears poised to do the right thing by what he called its "biggest asset."

And doing the right thing environmentally will make economic sense for the city and developers, he said.

"Good environmental policy 100 percent of the time is good economic policy," Kennedy told area business leaders and community activists who gathered Friday to celebrate plans to restore a two-mile stretch of the river running through downtown.

The chairman of the grass-roots international organization Waterkeeper Alliance, Kennedy is in Utah this weekend for a Deer Valley celebrities ski fest and a fundraiser for Great Salt Lakekeeper Sunday evening in Park City.

Kennedy was hosted by Gadi Leshem, a California investor who with wife Miri Leshem has purchased dozens of commercial and residential properties along the river and plans to buy more.

Ogden's Redevelopment Agency is helping them acquire homes in the area between Wall Avenue and Washington Boulevard.

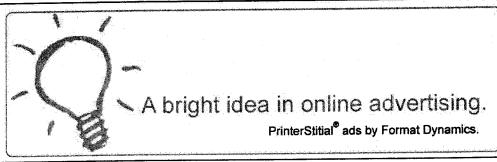
They plan to spearhead restoration of the river along with development of Renaissance Village, shops, restaurants, apartments and townhouses. Specific plans have not yet been drawn up.

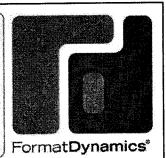
On Friday, Gadi Leshem pledged to work with community groups and the Great Salt Lakekeeper to ensure the river is correctly restored and that there is plenty of green space and public-access points.

He agreed with Kennedy that environmental and economic interests can be compatible. "But you have to find a balance," he said.

Leshem said he does not yet know how much money will be spent to restore the river, but he expects federal and state money will be needed as well as his own.

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It will be restored simultaneously with construction on Renaissance Village.

"It won't be easy. It will be a long process, but we will make it happen," Leshem told the crowd he'd invited to the AmeriCan, as the historic American Can buildings are now known.

Kennedy praised the commitment of Mayor Matthew Godfrey and Ogden's business community to restore the river, which he said should be considered vital natural infrastructure.

"We are not protecting the environment for the fishes and birds. It's community infrastructure."

In an interview, Kennedy said he is not "anointing" Leshem's project because he hasn't seen the plans.

"But it's hard to see what could be done to make it [the river] worse," he said.

Kennedy said the restoration should include wide buffer zones for grasses and trees to help keep the river clean and its wildlife healthy. There should be no balconies or decks extending over the river, and minimal impervious surfaces, such as streets and parking lots, he said. The green spaces along the river should belong to the public, he said.

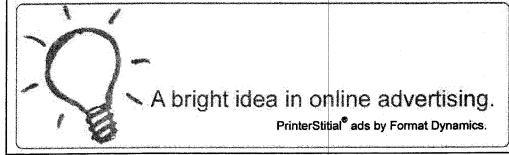
Kennedy said the fact Leshem owns - or will own - much of the land along the waterway will make restoration much easier. Kennedy intends to return to Ogden and

check on the project in three years.

Jeff Salt, the Great Salt Lakekeeper and a member of the board of Waterkeeper Alliance, said he will work closely with Leshem to make sure he "puts the river first."

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RFK Jr. visits Ogden, extols waterfront restoration

By Lynn Arave Deseret Morning News

Published: December 8, 2007

OGDEN — A restoration of the Ogden River is the best renovation Ogden city can make, a world-renowned environmentalist said Friday.

"The best improvement you can make is to restore your waterfront," Robert F. Kennedy Jr. said Friday afternoon as the keynote speaker at the River Restoration Celebration Day luncheon in the American Can Building.

The nephew of former President John F. Kennedy, the son of the late Sen. Robert F. Kennedy and the vice chairman of Riverkeeper, he said previous river restorations have greatly enhanced such major cities as Baltimore, Boston, New York and San Antonio.

He said the Hudson River went from being so polluted in 1966 that fish caught from it were not edible, to the richest river in the North Atlantic today. The Riverkeeper group was also born out of that restoration effort.

"It's an investment in (environmental) infrastructure," Kennedy said. "The river is the infrastructure of the community of Ogden."

He said Ogden is located where it is because of the waterway, though people in the past have simply used it as a waste converter.

"Pollution makes a few people rich and everyone else poor."

Kennedy told the approximately 500 people attending the event that he was impressed with the revival spirit of Ogden.

"The thing that I see in the community is the commitment to community."

Kennedy and two busloads of community leaders and residents took several walks along the Ogden River — despite Friday's snowstorm — before the luncheon. Debris, piles of concrete, trash, restriction and a lack of native vegetation were readily visible problems with the waterway.

The river restoration work will be part of the Ogden Renaissance Village, a riverfront project of stores, restaurants, offices and residential units. The development is still in the early conceptual stage.

"This is an exciting day for Ogden," Mayor Matthew Godfrey said.

Jeff Salt, head of the local Great Salt Lakekeeper group, which also seeks to improve and protect rivers in the lake's drainages, said the Ogden River is as bad as anything in the entire watershed.

"Without a healthy river, there's no vibrant community," he said.

Kennedy said he plans to return to Ogden in three years to check on the progress of river improvements.

He said he didn't have enough current information to comment on the health of two other key northern Utah waterways, the Bear and Jordan rivers.

Friday's event was hosted by the Ogden Community Foundation, a nonprofit group.

Kennedy, 53, was named one of Time magazine's "Heroes for the Planet" for his success helping Riverkeeper lead the fight to restore the Hudson River.

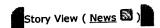
- Regarding Mitt Romney's speech on religion Thursday, Kennedy said, "I don't think I'm going to comment on it. I came here to talk about rivers."
- Kennedy will also present a lecture at a fund-raiser for the Great Salt Lakekeeper group Sunday at 5:30 p.m. at Park City's Eccles Center, 1750 Kearns Blvd. Tickets are \$18 and \$30. Call 435-655-3114.

For more information on Riverkeeper, go to riverkeeper.org.

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Clean 'putrid waste conveyance'

Saturday, December 8, 2007

By Scott Schwebke Standard-Examiner staff sschwebke@standard.net

Robert Kennedy Jr. promotes Ogden River

OGDEN -- Huddled under an umbrella Friday as rain fell, noted environmentalist Robert F. Kennedy Jr. pointed to a park bench on a section of trail along the Ogden River and chuckled.

He found it amusing that anyone would want to sit there and gaze out over the polluted river, which he described as a "putrid waste conveyance."

Kennedy, chairman of the Waterkeeper Alliance, a national organization dedicated to keeping waterways free of pollution, trudged along the trail with dozens of community leaders to launch a proposed effort to clean up a two-mile section of the river downtown.

The initiative is being spearheaded by California businessman Gadi Leshem, who hopes to rehabilitate the waterway in conjunction with Renaissance Village, a 200-unit development he plans to build as part of the second phase of the Ogden River Project.

Kennedy said the Ogden River is the city's greatest asset and must be preserved.

He elaborated on that theme during a river-restoration kickoff event attended by about 600 Friday at the AmeriCan Center, which is near the Ogden River at Grant Avenue and 20th Street.

Over the years, Kennedy said, the city has "turned its back" on the river, which has become an "embarrassment."

However, he said there is hope and predicted that, as cleanup efforts proceed, prosperity will flow into the city.

"That's what you are going to see as you begin to reconstruct this waterway," he said.

Kennedy said he is impressed with the "commitment to community" that seems prevalent in Ogden.

"That's what protecting the environment is all about," he said. "We're not protecting the environment for the sake of the fishes and birds. We are protecting it because we recognize that nature is the infrastructure of our communities."

Protecting the environment creates safe, clean cities that provide opportunities for "dignity and enrichment" for generations.

Economic rebirth in such major cities as Boston, San Francisco and San Antonio has been sparked by the cleanup of waterfronts, Kennedy said.

"The best investment you can make is by restoring our waterfronts. (The Ogden River) is the biggest asset you have in this city, and you should turn it into a financial asset for the people."

Kennedy also discussed the economic impact of ensuring clean waterways.

"Good environmental policy 100 percent of the time is identical to good economic policy," he said. "But if we do what some of the polluters urge us to do and treat the planet as if it were a business in liquidation, we can convert our natural resources to cash as quickly as possible and have a few years of pollution-based prosperity.

"But our children are going to pay for our joy ride."

He concluded by saying "pollution makes a few people rich by making everyone else poor."

Leshem told those at the event he is counting on their support in cleaning up a section of the river that is part of the proposed Renaissance Village development he hopes to build in connection with the second phase of the city's Ogden River Project.

"It's a process that we can make happen. I can't do it alone. It's too big."

Leshem is working on a master plan for the river cleanup and hopes to submit federal and state permit applications for the project next year. Remediation of the river would include removal of debris along the banks and the planting of new vegetation.

The river's channel would also be realigned, allowing for an improved habitat for plants and wildlife. There would also be designated fishing areas, as well as a whitewater kayaking feature near Gibson Avenue.

Construction on Renaissance Village, a 60- to 80-acre development, may get under way in 2009 and could be completed by 2014, Leshem said.

The project would likely be built in phases and would include about 200 commercial and residential units.

Dwellings would be clustered in at least three adjoining villages that would cater to artists, outdoor enthusiasts and baby boomers, with boutiques and restaurants along the riverfront.

Learn more about the project at www.dialogden.com.

Story Advertisement

N-power firm signs another water deal

Legislator's company inks pact with San Juan for water to cool reactors

By Robert Gehrke The Salt Lake Tribune

Article Last Updated: 12/08/2007 12:16:39 AM MST

A company run by a Utah legislator seeking to build a series of nuclear power plants in Utah has inked another deal for water to cool its nuclear reactors, this time with the San Juan Water Conservancy District.

Transition Power Development LLC signed an agreement with the water district to acquire the rights to 24,000 acre-feet of water for the next 70 years.

The company, led by Rep. Aaron Tilton, R-Springville, is seeking to build several nuclear power plants, with early indications that they are looking to build in Emery County.

The company contracted with the Kane County Water Conservancy District in September for rights to 30,000 acre-feet of water from the Green River in Emery County. The state would have to approve both deals before the water rights could be transferred.

"Obviously we need water and we're trying to do this right," said Tom Retson, president of Transition Power. But he declined to comment on the San Juan lease.

The San Juan Conservancy Board approved the contract in an emergency meeting on Nov. 29, in order to meet Transition Power's application deadlines, according to the San Juan Record newspaper.

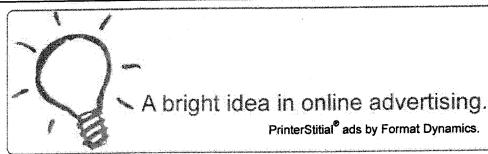
San Juan County Clerk Norman Johnson, who also serves as chairman of the conservancy board, said the board unanimously supported the contract.

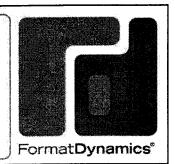
"There was a lot of discussion as to what the future holds, trying to look down the road 20, 30, 40 years, what our own needs will be. It was a healthy discussion," he said. But the board was "absolutely positive" about the prospects for a nuclear plant. "You won't get me to say anything negative about nuclear. There were absolutely no negatives relating to that."

The rights that Transition Power acquired are currently on the San Juan River, but the company plans to seek to transfer them to the Green River. Both the Kane and San Juan rights require the Utah Division of Water Rights to approve the rights and points of diversion - where the water will be taken from the river.

The San Juan conservancy acquired the water rights for community use in 1967, but

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they would lapse and revert to the state in 2017 unless they were developed.

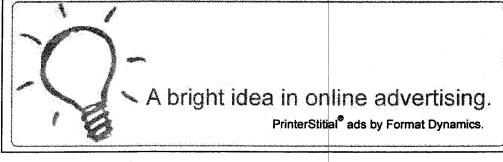
Transition Power paid the district \$10,000 when it signed the contract and agreed to pay \$80,000 per year until the plant opens, presumably in 10 years. From there on it will pay \$800,000 yearly for the remaining 60 years of the contract.

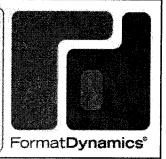
Tilton was criticized for quietly working on the nuclear power plant proposal while sitting on a legislative committee that oversees public utilities and on Gov. Jon Huntsman Jr.'s climate change advisory committee.

Transition Power initially plans to build one 1,500 megawatt plant, but its contract with Kane County says ultimately it wants to build as many as four. The company has not settled on a location, Tilton said last week. Consultants are in the process of reviewing the options.

gehrke@sltrib.com

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Water lawsuit sent back to state court

Preston McConkie DURIGAN SPRINGS DECISION CONTESTED

State, city attorneys cooperate against BIA maneuver

Roosevelt City had its lawsuit against the Utah State Engineer for a well permit sent back to state court Wednesday after U.S. District Court Judge Tena Campbell rejected a motion to dismiss the case filed by the U.S. Bureau of Indian Affairs.

"What they (the BIA) were doing was using their sovereign immunity as a sword, when they were supposed to be using it as a shield," said David Wright, an attorney who represents Roosevelt City.

State Engineer Jerry Olds is being sued by Roosevelt for denying a point-of-diversion application that would have allowed the city to add an existing, but formerly unused Durigan Springs well, to its culinary water system. Olds actually initiated the motion to have the case brought back to state court and the city filed a supporting brief.

While a dismissal in federal court would have forever ended the suit against Olds, he did not approve of the BIA's methods, according to Assistant Utah Attorney General Norman Johnson.

"The state engineer believes de novo judicial review is part of the water rights application process," Johnson said. "Those aggrieved by his decisions are entitled to such review and that review should be in state court. We hope Wednesday's ruling will set a positive precedent, although the issue could come up again."

The precedent, in which Campbell remanded the case to state court and declared the denial motion moot, could perhaps help end what state, county and city officials have long considered an abuse of sovereign immunity by federal agencies. In this case, both state and city attorneys said the BIA had asked to have the lawsuit moved from state to federal court where both the tribe and the BIA are immune from suit under the 1976 Sovereign Immunity Act.

However, the BIA was never a target of the lawsuit; the Ute Indian Tribe was merely named as a "party of interest" in the suit against Olds because – along with 31 individuals living in the Neola area – the tribe had objected to the state issuing a permit to draw water from a formerly unused city well. The opposing parties alleged that the city's development of the well would harm other water users by draining the area's aquifer.

Johnson argued before Campbell that the Sovereign Immunity Act was only meant to shield foreign governments from being sued in federal courts, not as a tool for interfering with the actions of other agencies. He reasoned that the Ute Tribe can still sue in state court if it believes it would be harmed by Roosevelt's use of the Durigan Springs well.

Other federal agencies have successfully used the tactic many times in the past 30 years to block lawsuits affecting their interests, according to both Johnson and Wright.

With the case now returned to 8th District Court in Roosevelt, the temporarily allied attorneys will face off on the original issue: whether Olds had the right to deny Roosevelt use of a well to pump water the city already has rights to. Nearly three years ago the city requested to be allowed to take a portion of its certified water rights from its Hayden field well and transfer them, or change the point of diversion, to the Durigan field near Neola. Olds denied the request in February.

Wright said the state has already confirmed Roosevelt's right to the water it would pump from the

Durigan well, but Olds is claiming it shouldn't be allowed to use those rights because the Durigan well hadn't been used in more than five years. Under recently passed state law, farm lands can lose water rights if they aren't used for five consecutive years.

But according to attorneys and multiple water-board officials around Duchesne County, loss of those rights isn't automatic and must be pronounced by a judge in response to a claim filed in court against the water-rights holder. Neither Olds nor anyone else has filed such a claim against Roosevelt, according to the city's attorneys.

Also, according to Roosevelt City Manager Brad Hancock, at the time the new law was passed legislators said it was not meant to be used against cities who stockpiled water rights to provide culinary water for future growth..

"The state engineer based his decision on an arbitrary cutback of our water rights, and this is a very dangerous thing to do when you need it the very most," Hancock said. "We're in a really serious situation because we don't have sufficient culinary water to meet our needs. We initiated this action because we don't think (Old) has the authority by statute, and now we're in the right arena where we can test it."

Other Utah cities are following the case, which could affect their own claims to stockpiled water rights. In amounts ranging from \$200 to \$3,500, 19 cities have donated a total of \$13,400 to Roosevelt's legal fund. According to city Financial Director Justin Johnson, so far the city has paid \$36,400 in attorneys' fees.

Hancock said every Utah town has a stake in the lawsuit.

"Every municipality in Utah is concerned about this issue if they're in the business of providing culinary water," he said. "If they're not concerned they ought to be, because every town has to provide for its future, and if you can't supply adequate water to provide for your future, then what kind of future do you have?"

Projections provided by Roosevelt City show the Durigan Springs well could supply water to 1,000 families, including approximately 500 families outside the city limits who lack culinary water connections.

City will raise rates

The Roosevelt City Council is expected to raise water and sewer rates and implement a storm water charge for its customers at a meeting tonight, Dec. 4, after discussing its options for the past two months and tabling an impact fee proposal.

City leaders have repeatedly debated the need to raise both user rates for in-city and out-of-city customers, and increase wholesale prices to Neola and Ballard. At last Tuesday's meeting it appeared that a compromise had been reached between a proposed higher rate increase and a reduced rate increase.

In the end though, the council directed Roosevelt City Manager Brad Hancock to draft a resolution for their review with the reduced rate. As it's proposed, city residents with a ¾-inch connection – which would encompass most households – would see their water rates rise by \$5 per month; sewer by \$3 per month; and a \$2 per month storm water fee.

Out-of-city water users will see their rates rise to 11/2 times the in-city rate.

The additional revenue generated by the increases will be used to pay the debt service if Roosevelt

can obtain funding for a new 2 million gallon water storage tank on R-Hill; reconstruction of its waste water facility in Ballard; and construction of a secondary water system in the city to use Sand Wash project water. Some of the funds will also be used to pay for the 500 acre feet of Sand Wash water that the city is signed up for.

The increase in legal costs to exercise water rights and the cost of acquiring more water shares if necessary is an additional expense the city is looking to offset by raising its rates.

Roosevelt is also expected to raise the cost of wholesale water sold to Neola from \$1 per 1,000 gallons to \$1.50 per 1,000 gallons. The city may also impose an overage fee on Neola.

Ballard's wholesale rates for sewage treatment is expected to rise as well; however, the amount of the increase is still being discussed.

The Roosevelt City Council meets at 5:30 p.m.

Helping Roosevelt Out

The following Utah municipalities have anted up money to help Roosevelt City cover the legal costs of its fight against Utah State Engineer Jerry Olds. Roosevelt has spent \$36,400 in attorneys' fees to date.

Municipality Donation

Ballard \$500

Blanding \$1,500

Centerfield \$200

Delta \$1,000

Elk Ridge City \$400

Emery \$200

Enoch \$1,500

Enterprise \$400

Francis \$200

Garland City \$400

Gunnison \$400

Hinckley \$200

Kanarraville \$200

Lindon \$3,500

Manila \$200

Meadow \$200

New Harmony \$200

Redmond \$200

Vernal \$2,000

Total: \$13,400

Source: Roosevelt City



Water suit sent to state court

Roosevelt is trying to add existing well to its culinary supply

By Preston McConkieDeseret Morning News

Published: December 9, 2007

ROOSEVELT — A water rights case that has the attention of municipalities around Utah will be heard in state court following a U.S. District Court judge's ruling.

On Nov. 28, Judge Tena Campbell rejected a motion by the U.S. Bureau of Indian Affairs to dismiss Roosevelt city's lawsuit against Utah State Engineer Jerry Olds. The city is suing Olds over his denial of a point-of-diversion application that would have allowed Roosevelt to add an existing but formerly unused well to its culinary water system.

Attorneys for the city and the state had opposed the BIA's motion to dismiss in federal court, which was filed under the umbrella of the Sovereign Immunity Act.

"What they (the BIA) were doing was using their sovereign immunity as a sword, when they were supposed to be using it as a shield," said David Wright, an attorney who represents Roosevelt.

While a dismissal of the case in federal court would have forever ended the suit against Olds, he did not approve of the BIA's methods, according to Assistant Utah Attorney General Norman Johnson.

"The state engineer believes de novo judicial review is part of the water rights application process," Johnson said. "Those aggrieved by his decisions are entitled to such review and that review should be in state court."

Campbell's ruling, which remanded the case to state court and declared the dismissal motion moot, could perhaps help end what state, county and city officials have long considered an abuse of sovereign immunity by federal agencies. In the Olds case, the BIA had asked to have the lawsuit moved from state to federal court where both the Ute Indian Tribe and the BIA are immune from civil action.

However, the BIA was never a target of the lawsuit and the Ute Indian Tribe was merely named as a "party of interest" in the suit against Olds because — along with 31 individuals living in the Neola area — the tribe had objected to the state issuing a permit to Roosevelt. The opposing parties alleged that the city's development of the well would harm other water users by draining the area's aquifer.

Johnson argued before Campbell that the Sovereign Immunity Act was only meant to shield foreign governments from being sued in federal courts, not as a tool for interfering with the actions of other agencies. He reasoned that the Ute Tribe can still sue in state court if it believes it would be harmed by Roosevelt's use of the Durigan Springs well.

Other federal agencies have successfully used the Sovereign Immunity Act many times in the past 30 years to block lawsuits affecting their interests, according to both Johnson and Wright.

With the case now returned to 8th District Court in Roosevelt, the temporarily allied attorneys will face off on the original issue: whether Olds had the right to deny Roosevelt use of a well to pump water the

city already has rights to.

Nearly three years ago the city requested to be allowed to take a portion of its certified water rights from its Hayden field wells and transfer them, or change the point of diversion, to the Durigan field near Neola. Olds denied the request in February.

Wright said the state has already confirmed Roosevelt's right to the water it would pump from the Durigan well, but Olds is claiming it shouldn't be allowed to use those rights because the Durigan well hadn't been used in more than five years. Under recently passed state law, farm lands can lose water rights if they aren't used for five consecutive years.

Roosevelt City Manager Brad Hancock said at the time the new law was passed legislators said it was not meant to be used against cities that stockpiled water rights to provide culinary water for future growth.

"The state engineer based his decision on an arbitrary cutback of our water rights, and this is a very dangerous thing to do when you need it the very most," Hancock said. "We're in a really serious situation because we don't have sufficient culinary water to meet our needs. We initiated this action because we don't think (Olds) has the authority by statute, and now we're in the right arena where we can test it."

Other Utah cities are following the case, which could affect their own claims to stockpiled water rights. In amounts ranging from \$200 to \$3,500, 19 cities have donated a total of \$13,400 to Roosevelt's legal fund.

Roosevelt City Finance Director Justin Johnson said the city has paid \$36,400 in attorneys' fees so far.

Hancock said every Utah city has a stake in the lawsuit.

"Every municipality in Utah is concerned about this issue if they're in the business of providing culinary water," he said.

E-mail: preston@ubstandard.com

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Drilling beneath the Green River - setting the record straight

Stephen Bloch

Article Last Updated: 12/08/2007 12:48:26 PM MST

The Salt Lake Tribune was right to criticize the Utah Division of Forestry, Fire and State Lands, in a Nov. 23 editorial, for its decision to sell two oil and gas leases beneath the Green River in a scenic stretch of Labyrinth Canyon.

This ill-conceived decision to jeopardize one of Utah's most beloved rivers - at the behest of an unnamed oil and gas middle man - was made for a pittance, filling Utah's coffers with a little over \$100,000.

The Southern Utah Wilderness Alliance protested the state's plans to sell these leases, as did a coalition of Moab-based outfitters and other businesses and riverbased conservation groups. SUWA argued that the leasing decision violated Utah's constitutional obligation to manage places like the Green River to promote and protect its natural values, first and foremost, with economic gain being a clear second.

The protests were received by the state

well before any leases were issued. However, the state rushed ahead to issue these leases and, based on the commentary penned by the division's director, Richard Buehler, on Dec. 2, did so on bad facts. We'd like to set the record straight:

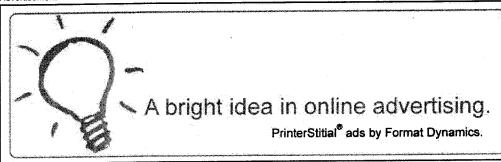
First, Buehler implies that surrounding public lands managed by the Bureau of Land Management are already under lease and thus oil and gas drilling in the area is a preordained outcome. Not so. In fact, none of the BLM managed lands adjacent to the 728 acres sold by the State of Utah are under lease.

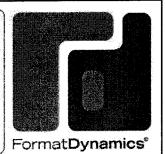
What's more, the BLM recently concluded that this stunning stretch of the Green River may be suitable for protection under the Wild and Scenic Rivers Act and is considering closing the lands next to the river from new oil and gas leasing. Far from being the final piece in a puzzle, these new leases are the opening foray into unleased waters.

Second, Buehler suggests that because drilling has not occurred near the river in the immediate past, it won't happen in the future. Utah's Constitution doesn't allow the state to take that sort of gamble. If and when drilling occurs on nearby lands, there is the very real threat of pollution reaching the river.

This past summer acidic "foam" appeared on the Green River just north of the famous Desolation Canyon stretch of the Green River and near recent oil and gas drilling activities.

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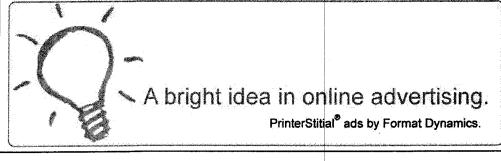
In addition to this sort of direct pollution, the sounds and sight of oil and gas development in Labyrinth Canyon will mar this otherwise quiet stretch of the Green River.

Finally, SUWA and others protested the state's sale of these leases before it happened. Buehler suggested that we were asking the impossible - for the state to go back and cancel the leases - when in fact we simply asked him to think first, then act.

All told, the State of Utah's decision to sell these leases just doesn't add up. Unlike the BLM and Forest Service, the state has a constitutional mandate to put the long-term protection of the Green River and its resources above short-term economic gain. Buehler's decision to sell these two leases violated that mandate.

* STEPHEN BLOCH is a staff attorney for the Southern Utah Wilderness Alliance.

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Other cities join fight

Published: December 9, 2007

The following Utah municipalities have anted up money to help Roosevelt cover the legal costs of its fight against Utah State Engineer Jerry Olds. The city has spent \$36,400 in attorneys' fees to date.

Ballard — \$500
Blanding — \$1,500
Centerfield — \$200
Delta — \$1,000
Elk Ridge — \$400
Emery — \$200
Enoch — \$1,500
Enterprise — \$400
Francis — \$200
Garland City — \$400
Gunnison — \$400
Hinckley — \$200
Kanarraville — \$200
Lindon — \$3,500

Manila — \$200 Meadow — \$200

New Harmony — \$200

Redmond — \$200 Vernal — \$2,000

Total: \$13,400

Source: Roosevelt city

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New suit filed over Glen Canyon Dam

Published: December 9, 2007

PHOENIX (AP) — An environmental group says the Glen Canyon Dam, a key Colorado River dam on the Utah-Arizona border, is being mismanaged by the federal government, threatening already endangered species for the benefit of power production.

The Grand Canyon Trust made the allegations in a federal lawsuit filed Friday in Phoenix. The suit names the U.S. Interior Department's Bureau of Reclamation, which operates the dam, which has created Lake Powell.

The Flagstaff-based group's suit claims the government releases water from Lake Powell in a way that benefits power production but destroys downstream habitat for native fish.

River flows in the Grand Canyon have been an issue for more than two decades. Before it was dammed in 1963, flows ranged from heavy springtime flooding that cleansed the river's sand and gravel bars to slow late fall flows.

The dam's steady releases changed that habitat, and combined with introductions of non-native fish like trout, native fish populations plummeted.

The government already settled one lawsuit that claimed the dam's operation failed to protect endangered fish in the Colorado River.

In early 2006, five other environmental groups sued, claiming the Bureau of Reclamation's dam operations were driving four endangered fish species, the humpback chub, razorback sucker, Colorado pikeminnow and bonytail chub, closer to extinction.

That suit alleged the government released water at unnatural temperatures, quantity, quality and frequency, depriving the Grand Canyon of sediment and needed nutrients.

The suit was settled later that year with an agreement that the government would intensely study the effects of the dam and prepare a plan by late next year that may recommend dam-operation modifications.

The new lawsuit alleges that the Bureau of Reclamation hasn't followed its existing 1996 dam operations plan that was designed to adjust river flows to avoid undue environmental damage.

"To put it bluntly, current flows from Glen Canyon Dam are in violation of federal law," said Nikolai Lash, senior program director at the trust.

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Weedkiller shows up in high levels in streams

By Juliet EilperinThe Washington Post

Published: December 9, 2007

WASHINGTON — Atrazine, the second most widely used weedkiller in the country, is showing up in some streams and rivers at levels high enough to potentially harm amphibians, fish and aquatic ecosystems, according to the findings of an extensive Environmental Protection Agency database that has not been made public.

The analysis — conducted by the chemical's manufacturer, Syngenta Crop Protection — suggests that atrazine has entered streams and rivers in the Midwest at a rate that could harm those ecosystems, several scientific experts said. In two Missouri watersheds, the level of atrazine spiked to reach a "level of concern" in both 2004 and 2005, according to the EPA, and an Indiana watershed exceeded the threshold in 2005.

Much of the data on atrazine levels has remained private because Syngenta's survey of 40 U.S. watersheds was done in connection with the EPA's 2006 decision to renew its approval. The Washington Post obtained the documents from the Natural Resources News Service, a Washington, D.C.-based nonprofit group focused on environmental issues.

Atrazine has been linked to sexual abnormalities in frogs and fish in several scientific studies, but the EPA ruled in September that the evidence was not sufficiently compelling to restrict its use. EPA spokeswoman Jennifer Wood said the agency "has concluded that atrazine does not adversely affect gonadal development in frogs, based on a thorough review of 19 laboratory and field studies, including studies submitted by (Syngenta) and others in the public literature."

Atrazine is popular among corn and sorghum farmers despite the controversy because it is inexpensive and blocks photosynthesis, thus killing plants to which it is applied.

"It works and it's inexpensive, and that's what farmers love," said Tim Pastoor, head of toxicology at Syngenta. "It's magic for them. It's like the aspirin of crop protection."

EPA officials and independent experts spent last week in meetings in Arlington, debating the "ecological significance" of atrazine water contamination, according to agency documents. The results of the deliberations — the monitoring data was plugged into computer models to estimate the effects on ecosystems — will be published in several weeks and will help determine how EPA officials regulate the pesticide in the future.

The federal government first approved atrazine in the 1950s, but it came under increased scrutiny in the late 1990s after Tyrone B. Hayes, a professor of integrative biology at the University of California at Berkeley, did a series of studies — first for chemical companies and then on his own — that indicated that tiny amounts of the pesticide de-masculinized tadpoles of African clawed frogs. The European Union declared it a harmful "endocrine disrupter" and banned it as of 2005, but the EPA decided to allow its continued use after determining that the agency lacked a standard test for measuring the hormone-disrupting effects of chemicals.

Instead, EPA officials and company representatives agreed on a plan to monitor atrazine levels in "40 of the most vulnerable watersheds in the country," said Jim Jones, deputy assistant administrator for

the EPA's Office of Prevention, Pesticides, and Toxic Substances.

Syngenta has collected more than 10,000 samples since 2004, Pastoor said, taking readings at least every four days at each site.

Jones said there are limits on what details of the Syngenta survey can be released to the public — the company claims some of the data is proprietary information, and anyone who requests the information must pledge not to share it with competing pesticide companies — but the monitoring system is protecting the public's health. "It obviously makes it more challenging for us, but we're operating under a statute," Jones said. "We're following the law."

Nancy Golden, a biologist and toxicologist at the U.S. Fish and Wildlife Service who studies how chemicals affect aquatic creatures, said fish exposed to as little as 0.5 parts per billion of atrazine in the lab demonstrate behavioral problems. At higher levels, they experience stunted growth. The levels of atrazine in 2004 in the two Missouri sites were more than 100 times the 0.5 parts per billion concentration, the Syngenta data show.

Golden said the data documented "atrazine levels that are sustained at pretty high levels for several weeks. That's definitely a cause for concern."

Peter deFur, a biologist at Virginia Commonwealth University, said "chronic low-level exposure" to atrazine can harm aquatic life. "I don't think low levels of atrazine exposures are safe," deFur said.

Charles Scott, field supervisor for the Fish and Wildlife Service's Missouri Ecological Services Field Office, said high levels of atrazine in northeastern Missouri could potentially affect several endangered and threatened species, including the pallid sturgeon, the Higgins' eye mussel, the fat pocketbook mussel and the decurrent false aster, a wetland plant. "It has a lot of biological impacts," Scott said of the pesticide.

The EPA has asked Syngenta to do additional monitoring at the two sites in northeastern Missouri where atrazine concentrations significantly exceeded 10 parts per billion, the level at which the agency believes it can have an impact on aquatic systems. In these two watersheds, concentrations reached more than 50 parts per billion for days at a time.

Wood, the EPA spokeswoman, said the Indiana watershed did not trigger the agency's level of concern in 2006 and the company will be monitoring it for another year.

Pastoor, who noted that atrazine's effect of stunting plant growth is reversed as soon as the pesticide is taken away, said the fact that two watersheds showed high levels of exposure "doesn't mean there's a problem there. It just means there's a yellow flag that says you should take a look."

The two sites in question, he added, were prone to excessive runoff because they have an impervious clay soil that channels runoff into waterways, the land is sloped, and one of the farmers working the land had cleared much of the vegetation. Syngenta sales agents and local corn growers are trying to reform the practices of the farmer in question.

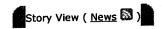
"We anticipate that site will significantly improve," Pastoor said.

Hayes, who stopped working as a contractor for a coalition of chemical companies years ago and is now one of atrazine's most vocal opponents, said he does not think the federal government is surveying the pesticide enough in light of its pervasive influence.

"What's most disturbing about the information you're talking about is all that EPA requires Syngenta to do is monitor atrazine in a few key sites," Hayes said. "Industry's been allowed to have such a huge hand in the regulation of atrazine."

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Rebirth of the River

Friday, December 7, 2007

By Scott Schwebke Standard-Examiner staff

Businessmen hoe to improve portion of Ogden River

OGDEN -- California businessman Gadi Leshem hopes to have master plans completed next year for the cleanup of a 2-mile downtown section of the Ogden River and construction of a trendy 200-unit development featuring lofts, restaurants and boutiques.

Permit applications enabling Leshem and other partners to rehabilitate the river may be submitted in September 2008 to federal and state agencies, Jason Carey, an engineer with RiverRestoration.Org, said Thursday. The Glenwood Springs, Colo.-based company is coordinating the project.

Construction on Renaissance Village, a 60- to 80-acre development, may get under way in 2009 and could be completed by 2014, Leshem said.

The waterway cleanup and Renaissance Village would be part of the second phase of the Ogden River Project.

The boundaries for that phase of the project extend on the north bank of the river from Kiesel Avenue to Lincoln Avenue, north to 18th Street, and on the south bank of the river south to 20th Street, from Grant to Lincoln avenues.

Plans for the river cleanup and Renaissance Village will be officially unveiled today during an event at the AmeriCan Complex that will be attended by environmentalist Robert F. Kennedy Jr.

Leshem, who is president and chief operating officer of Cover-All Inc., based in Chatsworth, Calif., said he hopes to involve community partners in his plan for the river. "It's been neglected," he said during an interview Thursday at the downtown Marriott Hotel.

He declined to release projected costs for the river project and Renaissance Village. Leshem plans to donate money and seek state and federal grants and private contributions for the river work.

Remediation of the river would include removal of debris along the banks and planting new vegetation, Carey said. Boulders would be used to realign the river's channel, stimulating a healthier habitat for plants and wildlife.

Rosewood and raspberry bushes would be planted along a trail that would wind along the river to protect banks from excessive encroachment, said Carey. However, there would be designated fishing areas, along with a whitewater kayaking feature, developed near Gibson Avenue, he said.

The river remediation project is a chance for residents to get behind an effort that will have significant benefits for the community, Leshem said.

"We can enhance the river," he said, adding that he hopes additional sections of the waterway can eventually be remediated. "It's not being done, but it can be if we are behind it."

Cleanup of the river would serve as a precursor to the development of Renaissance Village, Leshem said.

The project would likely be built in phases and include about 200 commercial and residential units.

Lofts and other dwellings would be clustered in at least three adjoining villages that would cater to artists, outdoor enthusiasts and baby boomers, Leshem said. Eclectic boutiques and restaurants would line the riverfront.

Leshem said he has purchased about 30 parcels in the second phase of the River Project and plans to close on about 15 more by the end of the year. Leshem declined to disclose how many more properties he needs to acquire to begin the project.

Purchase options for some of the properties were transferred to Leshem from the city's Redevelopment Agency, which originally obtained them from landowners.

The RDA could not afford to exercise the options, and transferred them to Leshem because he has the ability to make Renaissance Village a reality, said Richard McConkie, the city's deputy director of Community and Economic Development.

"He's got the wherewithal to do it," he said, adding that property owners were given documents from the RDA explaining their options could be transferred to another party.

The RDA paid property owners varying amounts of earnest money to acquire the options, and Leshem has reimbursed the RDA for those funds, Mayor Matthew Godfery said.

Dave Sexton, who lives at 1887 Childs Ave., said he is upset that it has taken six years to reach agreement to sell his property as part of the River Project.

However, he says he will be pleased when Leshem finalizes the purchase of his home in January for \$110,000.

"It makes me happy to get the heck out of Ogden," he said, adding that he plans to relocate from the city once his home is sold.

Story Advertisement

Glen Canyon Superintendent Roberts retires

By Patty Henetz The Salt Lake Tribune

Article Last Updated: 12/07/2007 01:22:05 AM MST

Kitty Roberts, superintendent of Glen Canyon National Recreation Area and Rainbow Bridge National Monument for the past six and a half years, has announced she retired Monday to spend time with family in Boise, Idaho.

Roberts took her post at the national recreation area in March 2001, shortly after a conservation group sued to ban all personal watercraft such as Jet Skis and Waverunners from Lake Powell.

While the controversy siphoned a lot of her time, Roberts juggled several other projects, principally an \$8 million project to keep the lake accessible to boaters despite a prolonged drop in Lake Powell's water level.

"We've lengthened every launch ramp there is, including [extending] utilities. That's the most important thing we could do," Roberts said Monday.

Nancie Ames, Glen Canyon's deputy superintendent, will serve as acting superintendent, according to a Park Service

news release.

Other projects Roberts has worked on include an education campaign to warn people about carbon monoxide dangers, a study by Utah and Arizona biologists of possible encroachment by quagga mussels and a partnership with the Navajo Nation to open a new concession area at Antelope Point.

The environmental group Blue Water Network of San Francisco sued the National Park Service in federal court in 2000 after Lake Powell and 20 other bodies of water around the country were exempted from a total ban the Park Service imposed in March 2000 on personal watercraft on all the waters under its jurisdiction.

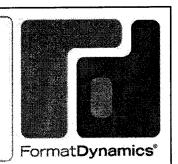
A negotiated settlement involved a temporary ban on the watercraft until an environmental impact study could be completed. In 2003, the ban was lifted in favor of a three-year pilot study in an effort to reduce conflicts between personal watercraft users and other visitors.

The EPA study banned personal watercraft on the Dirty Devil, Colorado, Escalante and San Juan rivers while mandating a ban on craft propelled by two-stroke engines by the end of 2012.

Roberts acknowledged that the study never has been done, citing the lack of money to pay for it. Still, she said, two-strokes will be banned in 2012. In the meantime, manufacturers no longer can produce the tiny craft unless they are fuel-

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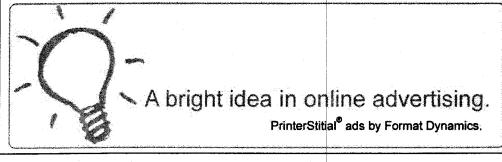


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injected, which reduces water pollution but doesn't do much for the air or noise pollution.

After 35 years working in the parks and recreation field, "that's enough," she said. "I'm going to go play golf."

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Centerville tables water-rate increase amid complaints

By Cathy McKitrick The Salt Lake Tribune

Article Last Updated: 12/05/2007 09:35:16 AM MST

Posted: 9:34 AM- A water-rate increase - the average homeowner would pay an extra \$2.35 per month - got tabled this week in Centerville after one resident told the City Council the beefed-up fee would penalize the city's west side. The proposed rate hike comes back for further discussion and a council vote on Dec. 18.

Don Youngblood owns property in Centerville's industrial park. He explained that all landowners west of Interstate 15 lack access to Weber Basin's secondary water. So any landscaping must be nurtured with culinary water.

Youngblood came armed with a petition signed by 30 neighboring property owners. "We all agreed this was unfair," Youngblood told the council. "We think our rate should decrease because we pay taxes on Weber Basin water but we don't have it." During the winter months, Youngblood said his water bills run between \$30 and \$40 a month. But when he waters his west-side

foliage in the heat of the summer, bills climb to \$100.

City officials believe they have sound footing for a rate increase, as it would only be the third boost since 1990.

In 2002, an extra \$1 per month was added. At the same time, fees increased by \$2.30 each month to fund fluoridation of the citywide water system.

In the past five years, this south Davis County city received \$1.9 million worth of water-system improvements, including the Parrish Lane reservoir and several well and pump-station facility upgrades.

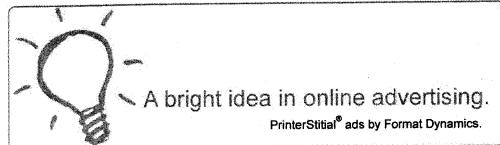
And now, funding for future upgrades is needed, said City Manager Steve Thacker, adding that inflation also drives up operational costs. Combined, those factors equate to the 11.5 percent increase of \$2.35 per month.

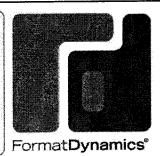
Thacker also recommends raising the fluoridation fee from \$2.30 to \$2.55 per month.

"We plan to review the fees annually from now on," Thacker said. "The council would rather consider smaller, more-frequent increases than waiting too long and getting a larger increase like this." Some council members empathized with Youngblood' s dilemma.

"The issue of not having secondary water is not the city's inequity," said Councilman David Gutke. "It's Weber Basin taxing people for services they can't access." Over the next two weeks,

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city staff will research ways to ease the west side's water woes.

In other action:

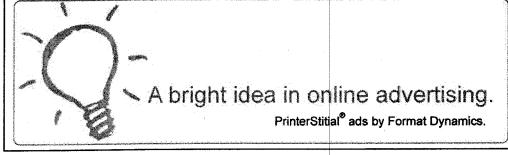
Council members unanimously approved an ordinance imposing a one-tenth-cent Recreation, Arts and Parks sales tax.

In the Nov. 6 election, the RAP tax garnered 65 percent of the Centerville vote. Most of the proceeds from the eight-year tax will fund construction of a 70,000-square-foot south Davis performing-arts center in the city's Marketplace district.

The new tax - on all retail buys in Centerville except food - kicks in April 1. "That's the first big step," Mayor Ronald Russell said of the council's unified support of the new arts venue. "We're on our way.." Bountiful voters also favored the RAP tax. The Bountiful City Council will need to take similar action for the new levy to be imposed in that south Davis County city as well.

cmckitrick@sltrib.com

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Wednesday, December 05, 2007 Former Ensign-Bickford site to be developed

| Print |

Grace Leong - DAILY HERALD

Geneva Steel and Ironton aren't the only brownfields in Utah County being remediated for economic development.

Controversial explosives maker Ensign-Bickford Co., which emerged last year from a protracted legal battle with Mapleton over groundwater contamination by its now decommissioned Trojan explosives plant, is planning a massive mixed-use development that will include 1,500 homes on a 500-acre brownfield property in Spanish Fork. A brownfield is environmentally contaminated land that has been remediated or cleaned up.

The land, on which the Trojan plant sits, is in final stages of a cleanup that began in 2006 and is expected to be ready for development by the end of 2008, said Peter Barnett, president of Ensign-Bickford Co.

To be located at the intersection of Highways 6 and 89 in Spanish Fork, the multi-million dollar mixed-use development is a joint venture of Ensign-Bickford and Presidio Capital of Provo. RiverStone Design Group, a Park City-based land use design company, is the architect and project designer.

The project will include more than 1.4 million square feet of commercial development including a business park with professional office and light industrial space, restaurants, retail services and around 1,500 homes, condos, townhomes and residential lofts.

The Trojan plant was closed in February 2006 and nearly 100 workers were laid off after its assets were sold to Dyno Nobel Inc., a Salt Lake City explosives maker, Barnett said. Since then, Ensign-Bickford has been remediating the land in conjunction with Charter Oak Environmental Services of Salt Lake City.

"We've decommissioned all the equipment, and are now tearing down all 30 of our buildings on the former plant. We've been taking soil samples and cleaning up the property for the residential development," Barnett said. "We're very close to obtaining the environmental closure requirements, which show we've met the state's requirements for the proposed new uses at the site."

History of litigation

In the early '80s, investigators found chemicals leaching from Ensign-Bickford's Trojan plant into the wells of Mapleton City, which is about two miles east of Spanish Fork. The contamination left groundwater with high levels of nitrates and an explosive compound.

Mapleton sued the explosives plant in 1994 for allegedly contaminating the city's groundwater aquifer, and both parties settled in 1997. But Mapleton filed a \$100 million lawsuit in 2002, claiming Ensign-Bickford didn't disclose possible future problems due to pollution. A judge in 2006 dismissed Mapleton's lawsuit, and Mapleton threatened to appeal the ruling. Ensign-Bickford filed a counterclaim asking for \$1 million in attorneys' fees, saying the city broke the original settlement by pursuing more litigation.

But both parties reached a final settlement in December 2006. Ensign-Bickford agreed to support Mapleton's applications to a \$2.58 million state trust fund set up to restore or replace water contaminated at the site. The settlement also requires Ensign-Bickford to pay \$9.375 million for continued pumping and treating the groundwater.

Spanish Fork support

Dave Anderson, Spanish Fork's planning director, said the city has been in talks with Ensign-Bickford for a year.

"We want a business park in there to promote economic development," Anderson said. "The property is a choice site because of its proximity to major thoroughfares and railways. The topography is also good for the proposed mix of uses. The project will accommodate residential and industrial use in close proximity separated by a difference in elevation."

RiverStone Design is also exploring the potential for tapping geothermal, wind and solar energy for the project.

"We're near the Spanish Fork wind farm, which is of putting in some wind turbines and solar energy panels to support the internal operations of our project," Barnett said.

Ensign-Bickford and Presidio Capital plan to apply for a rezoning of the property from industrial to commercial and residential use early next year and will put in infrastructure, utilities and sewer upgrades as well as roads.

"This new community will serve as a model, not only for the business community, but also for a new way of meeting our growing needs while building in a responsible and sustainable manner," said Jack Evans, managing partner of Presidio Capital, a real estate venture company.

Separately, Presidio is developing a 300-acre residential development along Highway 89 in Mapleton -- a key factor behind the joint venture between Ensign-Bickford and the Provo company. Called the Mapleton Village, Presidio is getting final approval from the city to develop 565 homes there.

"We chose to joint venture with Presidio because we needed someone who understood the Utah market, and also because of its experience with Mapleton Village. That has a lot of benefits in our mind," Barnett said. "Ensign will contribute the property, while Presidio will contribute the engineering and development design."

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86 had been nominated

Utah's wild and scenic rivers: Forest Service tabs 24 waterways for designation

By Patty Henetz The Sait Lake Tribune

Article Last Updated: 12/05/2007 06:58:59 AM MST

Utah is on the way to having perhaps hundreds of miles of the state's most beautiful rivers and streams added to the national Wild and Scenic River system.

In a move that would launch the Beehive State into the national mainstream, the U.S. Forest Service has deemed 24 river and stream segments totaling 212 miles suitable for the federal designation that would provide extra layers of protection to special waterways.

That's only about a quarter of the waterways the agency previously found eligible. But any Utah river designated wild and scenic would be a significant accomplishment, said Utah Rivers Council spokesman Mark Danenhauer.

The council has been pushing for all 840 miles of waterways in 86 eligible rivers and streams to be put on the list. Many other

conservation groups and individuals likely will be disappointed in the preferred alternative detailed in the Forest Service's recently released draft environmental impact statement, Danenhauer said.

Still, he said, "they are recommending 24 segments. That is not a small number of rivers. It is a really good step forward."

And a necessary one, said federal and state officials.

As the Forest Service has developed its management plans for Utah's national forests, various rivers were put on an eligibility list. Once that happened, the rivers had to be managed so nothing could happen to disqualify them.

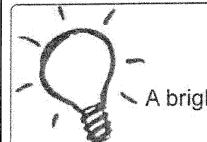
That was a kind of limbo that the state and counties did not want to continue, said Kenton Call, spokesman for Dixie National Forest.

"No one wanted us to end at eligibility," he said. "Everyone wanted us to move on."

Val Payne, spokesman for the Utah public lands policy coordinator's office, agreed. "Lets get something done," he said. "Let's be sure what's done is according to the process."

By that, Payne meant according to a rigorous analysis that takes into consideration 17 separate factors, including a catch-all "other" criterion. The analyses put special focus on potential conflicts with

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existing or expected uses, including irrigation, grazing, transportation, recreation, minerals and energy development, and the socioeconomics of the surrounding communities and the state.

Underlying those is an even bigger dispute: Utah law requires that wild and scenic rivers be limited to those that are free-flowing and full of water at all times, but the federal law does not.

The national Wild and Scenic Rivers Act was passed in 1968. Utah is just one of nine states that don't have any wild and scenic rivers. The only other Western state with no such designations is Nevada.

The U.S. Bureau of Land Management also is considering wild and scenic river designation in its long-term plans. A series of draft resource management plans covering 11 million acres of BLM public land is now in the public-comment phase.

The six national forest supervisors in Utah will make the final decision on which river names to send to the secretary of Agriculture, who in turn will decide whether to advance the proposal to the president and Congress for consideration, Call said.

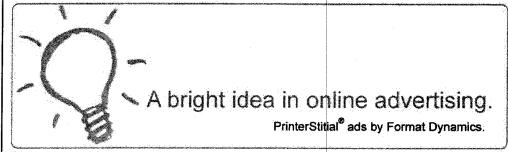
The Wild and Scenic Rivers Act initially aimed to slow dam construction in the East. The West's distinct ecosystems, especially in arid Utah, pose a challenge to

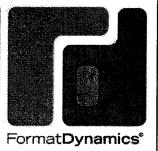
interpreting the law here, Call said. And the streams that come alive only during thunderstorms or spring runoff may be underrepresented in the national system, he said.

"A lot of people have a hard time with the notion that a wild and scenic river doesn't have to look like the Salmon or the Columbia," Call said.

phenetz@sltrib.com

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Article published Dec 4, 2007

Water district to hold hearing on budget

County given chance to view water conservancy budget PATRICE ST. GERMAIN

PATRICE ST. GERMAIN patrices@thespectrum.com

ST. GEORGE - The Washington County Water Conservancy District's proposed budget for 2008 will be the topic at a public hearing tonight.

The district's board of directors unanimously approved a preliminary budget of \$80 million last month. The budget is now up for public review.

District Manager Ron Thompson said the budget includes \$3.1 million in the general fund, which covers the basic costs of the district along with money earmarked for capital projects, the water treatment plant and debt service.

Thompson said there are no significant increases or decreases in this year's budget over last year and no tax rate increase.

"Our primary revenue comes from water sales, hydro-power sales, some grants, impact fees and property taxes," Thompson said. "Generally, we don't have more than one or two (people) at the public hearing unless there is a tax increase."

Of the \$80 million budget, besides the general fund, the board approved approximately \$30 million in the capital projects fund, \$18 million in the capital projects reserve fund, \$3 million for the water treatment plant and \$7.8 million for debt service.

Thompson said the district is not planning a tax increase in the near future, but all of that is subject to change - especially with rising energy and fuel costs.

The \$3 million water treatment plant budget is primarily for chemicals, labor and power.

Thompson said the power costs have gone up as natural gas prices have gone up in recent years from about \$2 a decatherm to \$7 to \$8.

But the district is saving some money on the medical insurance, which is rising about 6 percent rather than at 12 to 15 percent.

Other large budget items in the general fund include about \$1 million earmarked for new project development for several projects.

Once a preliminary feasibility study has been completed, the project, if feasible, will be funded from the capital project fund.

Thompson said of the \$3.1 million general fund budget, about 10 percent of that is spent on water conservation efforts.

Unlike years past, Thompson said this year's budget also includes estimated budgets through 2012.

The 2007 year is nearing an end with the district within its budget for the year. Thompson said the audit of this year's budget should be available by early April.

"We have done well with the budget and we are under budget on every item," Thompson said.

Morning News

Making tap water taste good is 'an art form'

By Amy Choate-Nielsen Deseret Morning News

Published: December 2, 2007

BLUFFDALE — One thing is certain at the Jordan Valley Water Conservancy District: No two water samples are the same.

This much becomes clear during monthly district taste tests where water experts casually sniff specially prepared beakers filled with water and analyze the flavor. The employees drink the water so much they can taste the difference between three samples of surface water and groundwater and tell whether too much chlorine has been added.

It's an elaborate process for something that boils down to preference, but these employees spend hours evaluating the water's cosmetic qualities. They take their job seriously — and sometimes disagree on their findings.

"Some of you don't have taste," water quality supervisor Ron Kidd joked to a group of employees at the district's Bluffdale water-treatment plant as a debate circled around whether sample No. 1 had a musty, bitter or metallic taste.

Sample No. 1 was in a beaker on the table and had been sniffed, sipped and analyzed by 11 people, but it was hard to give the water an accurate reading.

"This is not a science," Kidd said, "it's an art form."

It was through that art form that the Jordan Valley Water Conservancy District chose two samples of water that swept the first Intermountain Section American Water Works Association taste test in September. The district's sample of water from the Willow Creek well beat 12 other samples submitted from treatment plants in Provo, Logan, Park City, the Central Utah Water Conservancy District and Pocatello, Idaho.

Now the Jordan Valley Water Conservancy District will advance to a national taste test competition in Georgia in June — and hold some major local bragging rights in the meantime.

"I was pretty confident in our wells, but I wasn't as confident in our surface water," said Shazelle Terry, Jordan Valley Water Conservancy District treatment department manager, of the district's win. "The thing about taste that I think is very interesting is, what tastes good is what you're used to, unless it's really bad or there's a distinct taste. More often than not, (tasting water) is fairly subjective, and it can be fairly subtle."

Water treatment facilities often go to great lengths to make their water taste good — down to adding reverse-osmosis, ozone and ultra-violet treatments — but Terry says her district still occasionally receives complaints about the water.

"At different times of the year, the reservoir can ... mix and bring up sediments from the bottom and give it a different taste," Terry said. "Sometimes people can pick up on that."

Occasionally, if water has too much calcium or magnesium the substance will taste bad. Some surface

waters can develop earthy or musty tastes from algae and bacteria in the water, but Terry emphasizes those different flavors are not a sign of spoiled water.

According to Monica Hoyt, a member of the Intermountain Section of the American Water Works Association small systems committee, the emphasis toward better-tasting tap water in the industry has been spurred by bottled water.

"Taste is all aesthetic," said Hoyt, a chemist who also works as a lab director for the Central Utah Water Conservancy District. "A lot of people think bottled water is better because it tastes better. As an industry, we're starting to take taste more seriously, in addition to health. We're beginning to see that we need to make our water taste the best it can."

On the other hand, Hoyt and Terry agree that their customers generally take for granted their clean water and the hundreds of hours it takes to make it taste good.

"Everywhere in the United States you can get a safe drink of water, which is an incredible thing when you look at the geographic variety we have in the nation," Hoyt said. "We don't have to worry about (water) safety, so we can worry about aesthetics. In a Third World country, they're worrying about whether the water can kill them. It doesn't matter if (the water) is earthy or musty, they're just glad they can drink it."

E-mail: achoate@desnews.com

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Booming suburbs pushing Utah Lake bridge proposal to beat traffic woes

By Brandon Loomis The Salt Lake Tribune

Article Last Updated: 12/03/2007 07:32:21 AM MST

SARATOGA SPRINGS - Those lights across the water sure are pretty as they flicker under the sheer face of Mount Timpanogos, reminding new lakeside residents why they moved from the busy city out here to horse country.

The view is not so nice when you're in one of the cars casting those lights westward at dusk, lined up in a nightly mule train of commuters ambling home over a single westbound lane through Lehi. As sure as night follows the workday, teeth-gnashing traffic has piggy-backed 30,000 residents to a side of Utah Lake where only a few hundred lived a decade ago.

Time to build that bridge, local and state officials say.

Growth in the Cedar Valley west of the lake is expected to blast off, perhaps justifying the bridge or causeway that Utah County dreamers have pictured for 20 years.

"When you add a quarter million people in

the next couple decades, we're going to need [a bridge]," said Rep. Kenneth Sumsion, R-American Fork. He'll propose a \$5 million feasibility and environmental study of a Utah Lake bridge or causeway when the legislative session begins. Most likely the project, costing \$150 million to \$500 million depending on design, would require tolls, possibly to a private business that builds it.

"The day will come sooner or later that the state would be paying for it, or we can move it forward with different kinds of financing," Sumsion said.

Federal help is possible. U.S. Rep. Chris Cannon, R-Utah, knows of the proposal and stands ready to push for study funds from Washington if that's what the state wants, spokesman Fred Piccolo said.

At present the traffic is at failure during some rush hours, meaning transportation officials consider it at gridlock for up to 2.5 hours during peak periods.

Local officials like what they're hearing. While Saratoga Springs and Eagle Mountain have burst into instant bedroom communities, the only highways to the Wasatch Front - State Route 73 from the east and Redwood Road from the north - are country roads. The cities are counting on major improvements, including the Mountain View freeway plan and an east-west connector on 10th South past Lehi, but they say more options are needed.

The signs of growth are everywhere,

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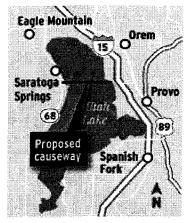


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Utah Lake shortcut?

A state lawmaker is proposing \$5 million to study a long-discussed causeway or bridge across Utah Lake. The toll bridge would serve tens of thousands who now live west of the lake, but could cost \$500 million.



Source: Mountainland Association of Governments
The Salt Lake Tribune

nothing except 4,000 lot lines on a map.

Eagle Mountain has created the area's most traffic, with a city-estimated population upwards of 20,000 inhabiting former sagebrush flats with essentially no hometown jobs besides a sprinkling of convenience and professional services.

"You add 20,000 people in 10 years and your roads haven't precipitously widened, guess what? You're going to have bottlenecks," said John Hendrickson, city administrator in Utah's self-styled "New Frontier."

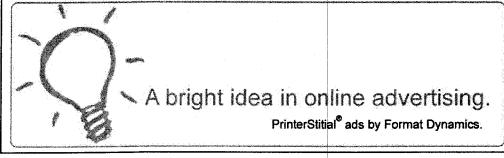
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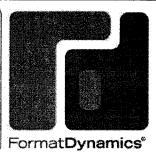
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At build-out, Eagle Mountain expects 180,000 people. But even existing traffic levels scared off a distribution company that could have brought the first jolt of jobs.

Saratoga also is booming, by more than 2,000 people a year, and now has at least 15,000 residents on the lake's northwest side, planning director James McNulty said. They're drawn to new single-family homes starting around \$250,000 and townhouses for less than that, and the commute 35 miles into Salt Lake City or southeast to Provo isn't yet a deterrence.

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The Utah Lake Commission endorsed the

bridge study last month, but not without a concurrent look at what a roadway would do to water quality. Causeways across the Great Salt Lake altered the chemistry in various lobes of the lake, commission director Reed Price said.

"We need to determine what would happen to the flow patterns and how that would affect water quality of the lake," Price said.

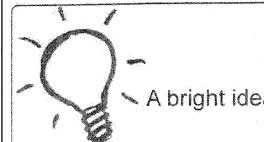
The regional planning authority **Mountainland Association of Governments** last year contracted for a quick analysis of the possibilities, and fears of degraded water favored a bridge on pilings instead of a rock-bed causeway. But elevating the roadway potentially pushes the price to \$475 million, senior transportation planner Shawn Saeger said.

Even at that, a \$3 toll on 39,000 projected trips leads to the bridge covering itself in 15 years, Saeger said. The road would be a clear convenience for a specific population, and therefore an ideal candidate for a toll.

It's only on the association's "vision plan" now, meaning it's not expected to get state funding before 2030. But a study indicating private interest could bump it up, he said. It has been on a lot of wish lists for decades.

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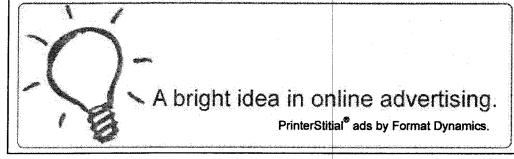
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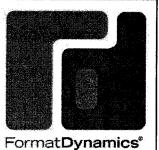
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Spanning Utah Lake?

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By Brandon Loomis
The Salt Lake Tribune
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Slow state flow: Save water at state facilities

Tribune Editorial

Article Last Updated: 12/03/2007 01:26:53 AM MST

You've seen the "Slow the Flow" commercials that encourage Utahns to conserve water. Conservation makes sense because, as the state's population doubles by 2050, it will be much cheaper to use existing water wisely than to develop new sources by building expensive dams, pipelines and other water projects.

But nothing discourages conservation like driving by a park or public building and seeing sprinklers running and water gushing down gutters during the heat of the day. If government officials can't do a better job saving water, people figure, where do they get off telling me I should "slow the flow"?

That's why the Utah Rivers Council is pushing a plan to provide a \$500,000 appropriation for state government to improve its own water conservation. The Division of Water Resources would use that money to work with the Division of Facilities Construction and Management to save water at state buildings.

The plan would cover both indoor and

outdoor use, and it would include an annual report detailing what had been done.

This would be money well spent, because talking the talk without walking the walk rarely persuades. This way, the state would be putting its money and its water where the "Slow the Flow" campaign says they should be.

A downstream spinoff of the program could be that state officials could share their successful water-saving strategies with folks in other governments and the private sector who also operate large buildings.

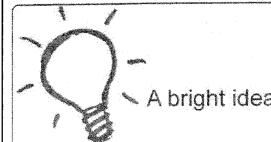
The Department of Natural Resources has put the money for the water-saving program in its budget request to Gov. Jon Huntsman. We hope that the governor can accommodate it when he weighs the state's spending priorities.

If that does not happen, Rep. Larry Wiley, D-West Valley City, is waiting in the wings with a legislative bill that would accomplish the same thing in the next session.

Utahns cut their per-capita water use by 12 percent between 2000 and 2005 in response to the drought. The government's goal for all Utahns is a 25 percent reduction by 2050. That would save taxpayers big money and reduce the environmental impacts of additional water projects.

But the state should lead by example.

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Water savings bill to get new try

By Patty Henetz The Salt Lake Tribune

Article Last Updated: 11/30/2007 01:37:01 AM MST

A water conservation bill that got lost in the legislative shuffle last year will get another chance this year.

Rep. Larry Wiley, D-West Valley City, on Tuesday released a revamped version of last year's HB380 that would establish a state facility water conservation program.

This time, the bill's \$500,000 price tag would be laid out in a properly prepared fiscal note. The appropriation is expected to be a part of the state Department of Natural Resources budget request, Wiley said.

The bill aims to set an example for all urban water users through a state program that would improve water conservation through plumbing and other upgrades in new state buildings. The bill also would set up a program to identify and implement water conservation activities that would become state policy.

The Utah Rivers Council, which is assisting Wiley with the legislation, says the

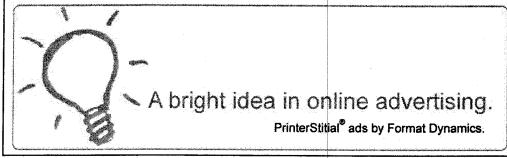
state spends little on conservation versus new water development projects, such as dams. In 2006, for example, the Water Resources Conservation and Development Fund loaned \$18.6 million to water development. Just \$204,000 was spent on water conservation.

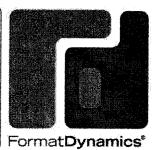
But even that is deceiving, said Rivers Council spokesman Mark Danenhauer. The money, which came from the DNR budget, went mostly to personnel, not to programs.

Utah residents have the second-highest per-capita water use in the nation. The state already has a goal to reduce water use by 25 percent by 2050. Wiley's bill would raise the savings to 35 percent.

Amy Defreese of the Rivers Council said that while the actual amount of water saved might not seem like much compared to the state's total use, conserving will save huge amounts of taxpayer money by avoiding costly dam construction.

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Morning News

Utah Lake has a true friend

20-member panel intent on improving the area

By Catherine SmithDeseret Morning News

Published: November 26, 2007

PROVO — Carp and a causeway — Utah Lake-related topics that have lately gained attention — only touch the tip of what the Utah Lake Commission hopes to affect.

To be sure, the commission's charge is as large as the lake itself.

The commission began as a study group when several mayors decided some of the issues surrounding the lake — the largest freshwater lake in Utah — needed to be addressed. The Utah County Council of Governments voted to form the Utah Lake Study Committee in 2004, which was approved by Gov. Jon Huntsman Jr. as the Utah Lake Commission in March 2007.

The commission is made up of 14 municipalities, three state agencies, Utah County and the Central Utah Water Conservancy District. It has 20 members and meets monthly to discuss issues regarding the lake.

Although still in its infancy, the commission's office runs with two full-time employees, and the commission already serves as a consultant and tool for agencies, legislators and others to receive information and guidance concerning the lake.

"We see ourselves as a coordination center," said Reed Price, executive director of the Utah Lake Commission. "(There are) people who have these different ideas, and they may need to talk to several agencies in order to get approval, and we can get them right in touch with the people they need to speak with."

Consider some of the issues facing the commission: The problem of polychlorinated biphenyls, or PCBs in the lake; the infestation of invasive animal and plant species, such as carp and phragmites; encroaching development, transportation and water quality.

The commission holds no authority to approve or deny any projects, but it is a source of information for those that do hold the authority, Price said.

Price also said the commission helps other agencies. For example, the Division of Forestry, Fire and State Lands could seek advice on requests for transportation-system permits on areas near the lake. The commission also will work with the state Department of Health on unhealthy PCB levels found in carp and channel catfish.

Commission members met with Christina McNaughton, health hazard assessment manager and toxicologist with the Department of Health, in October to understand more about the warnings against PCBs and how they affect Utah Lake.

Helping to raise funds and find organizations or grants that could pay for studies into lake issues is one way the commission will help agencies and try to conserve the lake.

Last week, the commission approved a resolution to support any appropriation of funds from the government for studies regarding Utah Lake.

Rep. Kenneth Sumsion, R-American Fork, wants funds from the Legislature for a study to look at a possible causeway through Utah Lake.

"A lot of people see (the lake) as an eyesore, but it truly is a gem ... one of our goals and objectives is to convince the public that it is such," he said.

A master plan is under way and is expected to be done by January 2009.

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Article published Nov 25, 2007

Lake Powell pipeline: Taxation without representation?

The Washington County Water Conservancy District is trying to embark on the largest and most expensive public works projects in the county's history: a 130-mile long water pipeline from Lake Powell to Washington County. While the project seems well on its way, one critical component is missing: open and engaged public dialogue.

This project would be extraordinarily expensive. It requires an equally extraordinary effort by the government and water district to truthfully inform and engage the public who would pay for it. A few back-page newspaper notices and occasional poorly attended public meetings won't suffice. Nor will a \$150,000 taxpayer-funded public relations campaign of newsletters and brochures that present only one point of view. What is needed is a fair and balanced public dialogue akin to Vision Dixie.

Why? Because this would be the most expensive public works project ever undertaken in the State of Utah without major federal funding. When the Central Utah Water Project was built, the federal government covered nearly 60 percent of the tab. The feds paid at least 35 percent of the TRAX public transportation system in Salt Lake County and 29 percent of Interstate-15 reconstruction. Why is no help in sight for the pipeline? The deeply indebted federal treasury is out of money for large water projects. And a close examination of the project reveals that it is unreliable and unnecessary.

How much would the pipeline really cost Washington County taxpayers? I remember in the '60s and '70s when the citizens of Salt Lake County were told that the Central Utah Water Project would cost approximately \$200 million. What was the ultimate price? More than \$2.2 billion.

Now we're being told that the Lake Powell pipeline has a \$500 million price tag - for construction only. But the district's own study says the project would cost \$842 million by construction time. How much would rights of way add to that estimate? Would another storage reservoir be needed? If so, where and how much would it also cost? The district estimates that interest on bonds would cost an additional \$900 million? Would that become inflated, too? How much would operation and maintenance add?

In the end, would the pipeline ultimately cost ten times its estimated price like the Central Utah Project?

Who is collecting our money for the pipeline? Neither the county nor the state. It's the water district, an autonomous agency not under the direction or control of the state, county or cities it serves. The district's officials are appointed - not elected. They can tax us, but we cannot vote them out of office. And they've already committed us to pay at least \$1.7 billion with no meaningful discussion between residents and government. This country fought a war of independence over less than that.

The proposed pipeline would create the largest local indebtedness for a water project without major federal assistance in the history of the Western United States. It would put us and our small county under enormous debt - a debt that the district has quietly obligated all ratepayers to repay.

Have you noticed the new water district tax/surcharge on your monthly utility bills? The district can increase this tax/surcharge by any amount it wishes to pay for pipeline funding shortages any time in the future. This flies in the face of Washington County's tradition of fiscal responsibility.

This project is much too important to be left to politicians and unelected bureaucrats. If the pipeline is a good idea, it will stand the test of genuine public dialogue. It's time for taxation with representation.

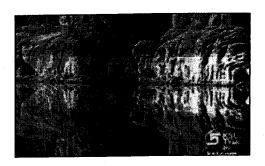
Paul Van Dam is a retired attorney who served as the Salt Lake County Attorney in the '70s and as Utah

Attorney General in the early '90s. He has owned property and lived in Washington County on and off for the last 30 years.

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Deeper Channel Could be Dug for Lake Powell Boaters November 25, 2007



John Hollenhorst reporting

After years of low water, the National Park Service is considering digging a deeper channel for boats near Lake Powell's busiest marina. The proposal to deepen the "Castle Rock Cut" suggests that no one expects the lake to fill up anytime soon and raises questions about the long-term water supply of the Southwest.

Several years ago, Lake Powell dropped to about half full and stayed that way. Will it ever fill up again? Probably, some day. But its prospects and the future water supply for the region have turned much more pessimistic in recent years.

When Lake Powell is half full, it costs many boaters hours of extra time and many gallons of extra fuel. In high water, boaters can go directly from Wahweap Marina to the main lake. In low water, that shortcut closes. Boaters are forced to detour 12 miles.



The proposal is to restore the short-cut by deepening the so-called "Castle Rock Cut." The excavation might be a half-mile long.

Dwayne Cassidy, with the Lake Powell Tourism Board, said, "I know that it's going to be a significant enhancement to the visitor experience."

With the lake now seemingly stabilized at half full, the Park Service is studying the proposal.

Kevin Schneider, with the National Park Service, said, "Right now, the lake has been for the past few years, has been right at about the same level."

The money for the project might seem wasted if the lake goes up very much or down very much. So what is Lake Powell's long-term future?

Tom Ryan, a hydrologist with the U.S. Bureau of Reclamation, says, "There has been an evolution of thinking in the scientific world."

Ryan takes a mildly optimistic view. "Our models show that Lake Powell will fill. Our models in fact show that it will be full 15 percent of the years in the future," he said.

According to his estimation, it would be full one year out of six.

Lake Powell critic and environmental historian Wade Graham has a pessimistic spin. He says the lake will sometimes be

essentially empty. "It's going to be below half full probably more than half the time. Occasionally floods will fill it, but they will draw it down much more quickly than ever in the past so that a situation of a full Lake Powell will be fleeting," he said.

New science has increased pessimism. Tree ring studies show that long, extreme droughts were common in the past.

"It's true, you do see droughts worse than what we've experienced the last eight years. You also still see wet periods," Ryan said.

Graham adds, "Drought is not going to be abnormal in the future; it's going to be the normal hydrology of the American southwest."

While nature provides less water, the states take more and more. Seven states divided up the Colorado River early in the last century. Everyone now agrees they had bad data from an unusually wet period.

"The compact was based on an optimistic viewpoint, overestimated the amount of water that's in the system," Ryan said.

And Graham says, "There will never be fewer demands for water from the Colorado River."

Add to all that the worry over global warming. The scientific studies are uncertain right now, but many scientists believe the Colorado River drainage will get even dryer in the future. So the trends do not look good for a full Lake Powell.

Water saved: Utahns should ramp up water conservation

Tribune Editorial

Article Last Updated: 11/22/2007 08:35:27 PM MST

Water is like money. You can save it, and you can make it go farther by using it more efficiently. It is cheaper for cities to tap "more" water by promoting conservation than it is to develop new sources.

As cities in the arid West sweat out the triple pressures of rapid population growth, global warming and drought, conservation is the low-hanging fruit on the tree of water management.

To put it another way, "Conservation effectively provides an additional resource by freeing up water that was previously consumed inefficiently or wasted. In this sense, it is the most cost-effective source of water available to the community."

That quote comes from the Southern Nevada Water Authority. A couple of environmental policy groups say in a new report that the SNWA could save money and water by doing much more to practice what it preaches about conservation.

Why should Utahns care about how the folks in Las Vegas manage their water?

Let us count the ways.

First, Las Vegas wants to pump ground water out of the valleys in east central Nevada and pipe it 275 miles south to quench its burgeoning thirst. But studies show that withdrawing water from this aquifer will lower the water table in Snake Valley, which lies partly in Nevada but mostly in Utah. Utah ranchers worry their springs will dry up.

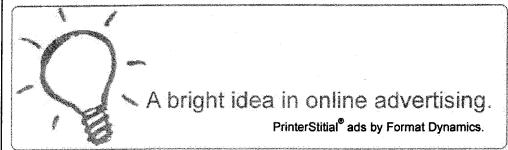
Second, Las Vegas gets about 86 percent of its water from the Colorado River at Lake Mead. How Nevada manages this water, including how it calculates the water that it uses, treats and returns to the river, affects how much it can take. That affects other states that use Colorado River water, including Utah.

Third, Utah, like Las Vegas, can learn from other dry Western cities, including Tucson and Albuquerque, that do a better job than we do conserving water.

The report by the water experts from the Pacific Institute says that Las Vegas could cut water demand from single-family homes by 40 percent if it pursued aggressive incentives for people to use low-flow toilets, washing machines, shower heads and other appliances. That would save roughly twice the 40,000 acre-feet of water that Vegas wants to pump out of Spring Valley annually.

Utah should take a page from this book. A drop saved is a drop that we don't have to drill for or dam up at tremendous cost to

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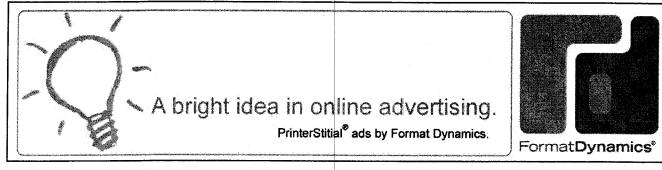




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Parents: Altamont needs new school

Geoff Liesik AGING STRUCTURE HAS MAJOR PROBLEMS

The orange-brown water coming from the taps at Altamont High School is only the most visible signs of the building's age. There's also the heating and air conditioning system, the sewer system, the electrical system and the fire protection system. It's all failing.

At Thursday night's Duchesne County School Board meeting, members of the Altamont community and school administrators informed the board of the school's deteriorating physical plant.

"We have great students in our building along with great parents in our community," said Altamont Principal Glen Simkins adding later that there are "significant building problems" with the 55-year-old structure that the school board should know about.

Simkins said when the district's facilities manager, Tony Grant, was asked whether Altamont's water and heating system would last for the next 10 years, the answer was no.

"He doesn't think that there's any way those systems will hold up," Simkins said.

The school's water pipes are so rusty that the water runs brown. The chosen solution is to treat the water with a chemical called P-33; however, the treatment removes only the color.

"There has been a little bit of concern about this," Simkins said.

Lorren Timothy, a concerned parent, told the school board that she'd researched P-33 and its active ingredient, hydroquinone. Timothy presented board members with copies of the health and safety guide produced by the company that manufactures P-33 and pointed out that the chemical is been shown to cause myriad health problems in lab animals.

"For us to have to put a chemical in this water for (our kids) to be able to drink this water that is normally wonderful, I think is a shame" Timothy said.

Timothy added that during the summer months the custodial staff at Altamont cannot shampoo carpets or mop the school's tile floors because the water is so infrequently used.

"It browns the tile," she said. "It's awful."

School board member Kim Harding, who has demolished old schools, said some of the water problems might be addressed by replacing the pipes rather than building a new school. Harding said many of the larger diameter pipes should be accessible through tunnels under the school.

"I think we ought to take a good look at it and see if we can get some ideas of some kind of a fix," Harding said.

Simkins told the board that during his time teaching in Nevada, the district he worked for

spent six months struggling to keep water connected to one of its schools because it waited too long to fix an existing water problem.

"The pipes were so corroded they couldn't get a proper attachment," the principal said.

Simkins said in addition to the water problems, Altamont experiences wide variances in ambient temperatures because of the location of steam pipes under the floors. He said the problem affects

more than the school's adherence to the district's new energy conservation plan.

"It's a consistent battle trying to keep the rooms at a consistent temperature which is conducive to a positive learning environment," Simkins said.

Then there is the fire system. Simkins said the magnets that hold fire doors open no longer work. This has prompted school officials to prop the doors open, which means that in a fire the doors won't close to prevent the blaze from spreading.

The main control panel for the fire alarm is expected to be replaced this week, but the system as a whole is ineffective.

"We get a call every 24 hours asking us if we're OK and we have to tell them to go ahead and reset the time schedule," Simkins said. "They will not go more than 24 hours because it's the main panel that's down."

As for the school's power system, an electrician visited Altamont last week to install an added breaker for a printer. Simkins said the addition was needed because turning on the printer tripped the breaker it was connected to.

What the electrician found, however, was that the school only has two remaining breakers open, and those are already designated for use in a new computer lab.

"They've got to do something there to come up with more electrical services to the building," Simkins said.

The final system threatening to shut down on Altamont is its sewer system. It's backed up four times this year, at times spilling sewage across the school parking lot. Simkins said despite the problem – and the constant threat the sewer system might freeze because of its shallow depth and poor grading in spots – it is the least worrisome system at Altamont.

"Of all the systems we have, the sewer seems to be the best," the principal said. "They ran a camera down it and it seemed to be in pretty good shape."

After reviewing the school's needs with its faculty and staff, Simkins said the concensus to ask the school board to look at building a new school, rather than spending exhorbinat amounts of money to fix the problems.

"I think what we're trying to say, and I may be wrong, is we would really like the school board to look at building a new building shortly down the road before we have some major problems that shut this one down and we have no where to go," Altamont teacher Mick Fieldsted told the board. "We want to be prepared."

Simkins agreed.

"We would rather suffer through some of these situations and look to building a new building rather than put a lot of money into an old facility," he said. "It's only a matter of time before these systems start to fail us one at a time."

Duchesne Schools Superintendent John Aland told the group that there are essentially two methods for building a new school: a bond election and paying for the project as the district can afford to. Aland said under the second option it would be at least five years before ground would be broken on a new school.

Wetlands plan forcing family off ranch-again

Preston McConkie Man already stricken by West Nile could have ranch replaced by mosquito habitat

Preston Young was 10 he, his father, and his grandfather were forced to abandon the family ranch so the federal government could build swamps there. Today, still struggling to overcome the West Nile Virus that nearly killed him, the 28-year-old is living in the path of a new federal swamp-building project that would take the last ranch land his family has left.

"When they took that from granddad it hurt," Young said from living room of a home he helped build less than a year ago. "We came up here and bought this place. But we have only got smaller since then."

The history of the Young family's woes is the history of federal agencies undoing one another's work. One such project was the Duchesne River Area Canal Rehabilitation where the Natural Resources Conservation Service paid to replace 41 miles of ditches and canals with pipes or line them with concrete to stop valuable water from leaking into the ground. That was a good thing for farmers and ranchers like Dude Young, a man who'd spent his life on the land and made his living from a beef herd on a ranch east of Myton along the Duchesne River that had grown to more than 1,000 acres.

The trouble was, lining the canals stopped water from leaking into the ground, which caused nearby wetlands to dry up. That led to the creation of the Duchesne River Area Canal Rehabilitation Mitigation project. In 1989 the U.S. Bureau of Reclamation offered Dude Young a lowball price for his ranch so it could be turned into a swamp and wetgrass area; he resisted and, according to his son Ross Young, was told he could take the money or take nothing at all; either way the bureau would have his land.

With money from the forced sale, Dude Young tried to keep the family ranch alive, helping his son Ross finance a 427-acre spread of which 300 acres was farmable. For the first time in his life, Ross Young had to take a job to support his chosen profession.

"I ended up selling it, and I still owed \$350,000 on it," Ross Young said. "That showed how much we got out of 1,000 acres."

"Before that, dad was a full-time rancher and farmer," said Preston Young. "It stems from them taking that land."

With a multi-year lease on 260 acres of Ute tribal land though Ross Young has continued ranching along with his son, who bought six acres on the Myton Bench and built corrals. In 2006, Preston Young began building a home there. Meanwhile he and his wife Hillary and sons Keaston and Jep lived with Ross Young in a hilltop house overlooking the Duchesne River.

That's when Preston Young nearly died.

At first he thought it was flu, though it was August. For two weeks his body, head and bones ached, his stomach hurt. Then he started vomiting whenever he moved his head. He lost his strength and equilibrium. He couldn't stand up.

At the hospital no one knew what was causing his brain to swell. Doctors thought it might be a tumor and feared brain damage. Tests included a spinal tap, and within four days the culprit was identified: West Nile virus, which had turned into encephalitis and spinal meningitis.

By then Preston Young was unconscious most of the time. When the symptoms eased he was

allowed to go home, where he lay in bed for a month.

"Just getting up to go to the bathroom, I'd be so exhausted I'd sleep for four hours afterward," Preston Young said.

Hillary Young said for weeks her husband could speak either not at all, or with difficulty. He remembered faces but couldn't recall the names of friends and family. Perhaps miraculously, his mental capabilities returned intact. But 15 months later he still suffers from the virus.

And if a project planned by the federal Utah Reclamation Mitigation and Conservation Commission is approved, before long there will be approximately 4,000 more acres of wetland near the Preston Young's home, which will bring mosquito-breeding habitat three miles closer to his parents' home, and condemn the land he and his father run the last of their herd on.

The Lower Duchesne Wetlands Mitigation Project (LDRWP), which has been in the planning stage for 12 years, has long been managed by Ron Groves, currently a member of the Ute Tribe Business Committee. According to federal documents released in 2003, Groves once surveyed 26 members of the tribe who had heard of the LDRWP and "requested information," and reported they were mostly in favor of the project.

The mitigation commission has paid hundreds of thousands of dollars over the years for tribal officials to oversee the project.

Despite his experience with West Nile, Preston Young isn't angry at the tribe or anyone else; he and his wife mostly talk of how lucky they were to have good insurance, and how much they appreciate friends, family and employers for helping them through the worst of the illness. He takes a nap after his day job and goes to bed early these days. He manages to get done what he did before getting ill, just with less energy left over.

But he isn't happy about the federal plan to flood the land he ranches, either.

"Are they going to do something with (the seized land), or are they going to waste it like they did with my grandpa's?" Preston Young said, pointing out that the former Young Ranch hasn't absorbed a foot of irrigation water since it was seized 18 years ago.

An explanation for the lack of water on the former ranch posted on the mitigation commission's Web site says there have been "difficulties in delivering water to the property;" a separate document notes that wetlands around the ranch have dried up since it ceased operation.

The Youngs and other ranchers also point to a federally-funded bird refuge administered by the tribe that is home to little but weeds.

Yet having the land wasted is preferable to a successful wetlands project, according to Preston Young.

"A lot of people I know have got (West Nile) and it hasn't affected them too much," he said. "But if people knew how bad it could be they would definitely not want something like that around. I guarantee it would change your mind."

Not that he disagrees with the goals of the LDRWP, just the way it's been planned.

"This habitat needs to be done, it's just in the wrong place," Preston Young said. "They need to do it some place there are no people."

An updated approach to an old problem

Amy Defreese

Article Last Updated: 11/17/2007 12:40:57 PM MST

"The last century was the century of water engineering. The next century is going to have to be the century of water efficiency." These are words from Barry Nelson, senior policy analyst with the Natural Resources Defense Council in an Associated Press article on Oct. 27.

He was commenting on the bold steps water managers will need to take to maintain water supplies around the country, in part because of existing policies that encourage water waste.

Some water buffalos are still missing the point. The federal Bureau of Reclamation and Sanpete Water Conservancy District are preparing to resuscitate the Gooseberry Narrows dam, a dinosaur of a project lingering from the bygone era of water engineering.

In order to provide municipal, industrial and agricultural water to irrigators in northern Sanpete County, these entities propose to spend more than \$25 million of federal taxpayer money and destroy valuable public natural resources located in the

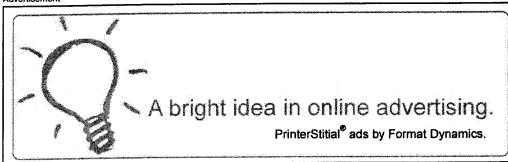
Gooseberry and Fish Creek drainages of central Utah. These drainages are enjoyed by locals and statewide visitors for the spectacular cold-water fishery and the hunting opportunities they offer.

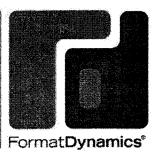
The portion of Sanpete County that would benefit from the Gooseberry Narrows project maintains a per capita water consumption rate 30 percent higher than the state average. In Spring City for example, Utah Division of Water Resources collected data in 2005 indicating residents used 602 gallons per capita per day. In contrast, the state average in 2005 was 260 gpcd. Overuse of un-metered secondary water on landscapes is largely to blame for the incredibly wasteful use.

The BOR and SWCD maintain that farmers in Sanpete County are limited to two to three crops of alfalfa per year under existing water supplies. Because the Gooseberry Narrows project will deliver "new" water, they will be able to harvest three to four crops.

An obvious question is whether irrigation water is currently used as efficiently as possible. The answer is no because irrigators in this part of the state have already identified numerous projects that would improve existing storage and distribution inefficiencies. Ironically, these efficiency improvement projects remain largely unfunded while the BOR spends federal funds to construct yet another inefficient storage and distribution project.

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The BOR and SWCD must turn their attention from projects that encourage waste to projects that encourage wise use. The Utah Division of Water Resources established a municipal and industrial conservation goal for Utah to reduce average water consumption 25 percent by 2050.

By decreasing municipal and industrial water consumption to levels compatible with state averages, residents in northern Sanpete County can eliminate the need to develop more water for M&I purposes. Alternatively, by simply decreasing M&I water use 25 percent by 2050, residents can conserve the same amount of water that will be developed for M&I purposes under the Gooseberry Narrows project.

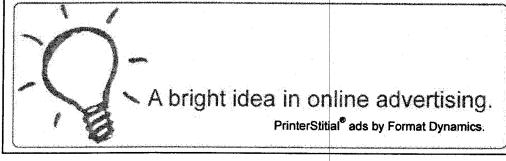
Existing water storage and conveyance systems in northern Sanpete County can be up to 50 percent inefficient. By implementing efficiency improvement projects, irrigators can conserve and provide storage for more water than would be diverted from Gooseberry Creek under the Narrows project - all at a cost approximately \$15 million less. To learn more about alternatives, visit www. utahrivers.org.

In the arid West, water is a scarce commodity. We must be creative in developing sustainable solutions to our future water needs. Dams and diversions represent an outdated approach. Today we can propose cost-effective solutions that also maintain our cherished natural resources.

It is no longer reasonable to expect the taxpayer to fund a costly project that will encourage water waste and destroy valuable, publicly owned resources. Less costly alternatives exist. Let's give them the discussion they deserve.

* AMY DEFREESE is river defense coordinator for the Utah Rivers Council.

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Preserving the future of river corridors requires action now

John H. Weis

Article Last Updated: 11/17/2007 12:40:55 PM MST

Tribune outdoors writer Brett Prettyman in a recent Tightlines column highlighted the difficulties of protecting wild places from development. Nowhere is this conflict more evident than land surrounding lakes and rivers. The Provo and Weber rivers provide examples and solutions to this dilemma.

The Provo below the Jordanelle and Deer Creek dams is open to public access. Whether you are fishing, tubing or walking, these verdant corridors are a remarkable resource that, as the populations of Heber and Provo grow, will become even more valuable.

Unfortunately the protection afforded to the lower stretches of the river is lost upstream between Jordanelle and the national forest boundary. Here the Provo winds through private property, restricting public access. Although this region of the river is natural, possessing wild fish populations, the Blue Ribbon Advisory Council will not declare it a blue ribbon fishery due to the lack of public access.

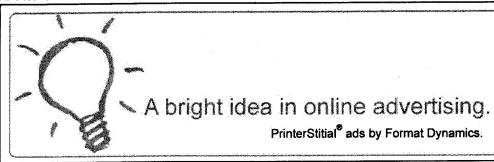
The Weber River is analogous to the Provo in that it, too, has three river stretches, separated by the Rockport and Echo dams. The Weber above Rockport is primarily closed to public access. The Division of Wildlife Resources has worked with landowners below Rockport to allow public access through entry points. Angler access is a gift from the landowners and could be revoked if it is misused or the land is sold.

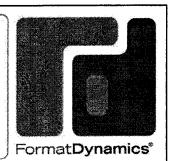
Fortunately, the development pressures evident in Heber on the banks of the Provo are not yet evidenced on the Weber in the Coalville and Morgan areas, but they are coming.

The region of the Provo below Jordanelle was saved just in time. Central Utah Project mitigation funds were used to purchase these lands to maintain this river as a public corridor. It is doubtful that such lands could be bought today at current prices. Therefore, it is critical to protect the Weber now before the costs to do so become prohibitive.

What would it take to protect the Weber River corridor below Rockport to Morgan? First, it requires vision, the ability to set the clock ahead 50 years and imagine what the Weber Valley will look like. Will the river be buried underground in a culvert to allow for another row of houses, or will it be flowing within a natural river corridor? Will the river be a resource to the community, or a blight?

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Envision Utah has a series of exercises that allows citizens to imagine what their communities will look like decades into the future; the Weber needs such a process.

Second, it takes the motivation of the local landowners. Much of the land in this region has been in families for generations; there is a tight bond between the two. Most do not want to see the conversion of family acreage into tract housing. They have safeguarded the river as stewards of the land; future utilization can be designed to do the same while ensuring that these landowners obtain fair financial compensation for their land.

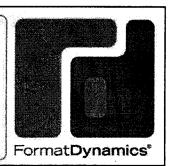
Third, it takes motivated individuals and organizations to help purchase the land, or to assist in the deeding of conservation easements that will protect the river in perpetuity. Utah Open Lands, DWR, BRAC and Trout Unlimited, among others, need to define funds and to bring them to the bargaining table. Additionally, the Land Trust Alliance and the Nature Conservancy are two non-governmental organizations that are committed to preserving open space.

For the Weber River to be protected and available for public use, it will take the vision to see the alternatives and how uncontrolled development of the Weber Valley will only create short-term gains, not long-term value.

* JOHN H. WEIS is a member of Stonefly Society of the Wasatch, a chapter of Trout Unlimited, and is an avid angler.

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Ogden River plan coming

Tuesday, November 20, 2007

By Scott Schwebke Standard-Examiner staff sschwebke@standard.net

RFK Jr. may join Leshem

OGDEN -- Californian businessman Gadi Leshem will unveil plans next month for cleaning up a polluted 2-mile downtown section of the Ogden River, as a precursor for a possible multi-million dollar residential and retail development.

Leshem will make the announcement during a Dec. 7 event at the AmeriCan Center, 2030 Lincoln Ave.

Leshem said in a phone interview Monday that he will be joined at the event by Robert F. Kennedy Jr., chairman of the Waterkeeper Alliance, a national organization dedicated to keeping waterways free of pollution.

Kennedy and the organization could not be reached for comment regarding the planned visit.

Leshem, a California businessman who owns at least 28 parcels in the city, said the aim of the event will be to share his vision for remediation of a section of the Ogden River from Washington Avenue west to the Union Pacific railroad tracks.

Leshem has hired Jason Carey, engineer for RiverRestoration.org, a Glenwood Springs, Colo. based-company to develop a clean-up plan so the river can be used for recreational purposes and to spur economic development.

Carey said in a phone interview Monday that his efforts have centered on developing strategies to clean up river banks, plant new vegetation and integrate storm water discharge.

The cleanup will be part of Ogden Renaissance Village, a riverfront commercial and residential development Leshem is proposing to build in the second phase of the city's Ogden River Project area.

The boundaries for the project's second phase extend on the north bank of the river from Kiesel Avenue to Lincoln Avenue, north to 18th Street, and on the south bank of the river south to 20th Street, from Grant to Lincoln avenues.

All told, the project will encompass about 60 acres that straddle the Ogden River from Washington Boulevard west to Wall Avenue and will be a mix of residential, commercial and retail development.

Leshem declined to provide specific details about the development, but said it could cost several million dollars and take as long as seven years to complete.

Leshem has not presented formal plans for Ogden Renaissance Village to the city, said Dave Harmer, Ogden's community and economic development director.

Story Advertisement

Morning News

Panel backs Utah lake causway study

By Catherine SmithDeseret Morning News

Published: November 16, 2007

PROVO — The Utah Lake Commission supported a lawmaker's efforts Thursday to appropriate funds to study transportation issues near the lake, including the feasibility of a causeway.

Rep. Kenneth Sumsion, R-American Fork, says he will propose a bill in the 2008 Legislature that, if passed, would provide \$5 million to study east-west transportation options for Utah Valley such as a causeway and other highways that would affect the lake.

The resolution passed by the lake commission doesn't support any specific road but supports funding to study east-west transportation, said Reed Price, executive director of the Utah Lake Commission.

The resolution also supports future legislation to acquire funds for other projects that would impact Utah Lake — control of non-native species of fish and plants, shoreline protection and other goals the commission has for the lake, Price said.

Darryl Cook, executive director for the Mountainland Association of Governments, said the study would fit with the other ongoing east-west corridor studies.

Sumsion said his intent was to help the Utah Lake Commission with funds it needs and encourage cooperation between the commission and the Utah Department of Transportation and support from legislators.

Sumsion said the commission's support would help him garner support from legislative leadership.

The commission is working through a master plan, and members raised some concerns about whether supporting the resolution would give the impression that the commission had chosen which highway it preferred.

Commissioners noted that the resolution supported only the appropriation of funds from the state for a study and not a specific roadway.

Price said the commission won't support a particular corridor until studies have been done and recommendations made.

The commission assigned Price to draft a resolution to note that the commission will not support a project until "strategic investigation" has been made.

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Water conservation a safe bet for Vegas

Report urges making changes, avoid pipeline plan

By Joe BaumanDeseret Morning News

Published: November 16, 2007

Las Vegas could save rivers' worth of water, but instead it is falling behind other Western cities in water conservation, according to a report from two conservation groups.

According to Steve Erickson of the Salt Lake-based Citizens Education Project, the findings call into question plans to pipe underground water from the Nevada-Utah border to the Las Vegas area. Conservationists and ranchers claim the water table could drop drastically, harming resources on both sides of the state boundary.

The report, "Hidden Oasis: Water Conservation and Efficiency in Las Vegas," was prepared by the Pacific Institute in Oakland, Calif., and Western Resource Advocates of Boulder, Colo.

The report concludes that "installing water-efficient fixtures and appliances could reduce current indoor water demand by 40 percent in single-family homes and nearly 30 percent in hotels and casinos."

If water-efficient landscapes were installed throughout the Las Vegas area, that could reduce the present outdoor water demand by 40 percent in single-family homes, the report adds.

"Many of these efficiency improvements can be implemented at a lower cost and with fewer social and environmental impacts than developing new water supplies," the report said. The entire report is available on the Web at pacinst.org/reports/las_vegas.

The report concludes that with the right steps, the Las Vegas area could save 86,000 acre-feet of water per year.

"We basically do science and analysis for policy purposes," said Peter H. Gleick, co-founder and president of the Pacific Institute. "We looked at the way Las Vegas uses water and their potential to reduce inefficient and wasteful uses of water."

Heather Cooley, senior research associate at the institute, said the potential water saving from homes, hotels and casinos "was equivalent to about 80,000 to 90,000 acre-feet a year."

That is a significant savings and was based on technological changes such as switching to front-end-loading clothes washers, using water-saving toilets and modern shower heads. "We looked at installing the appliances and fixtures that meet current national standards," she said.

According to Bart Miller of Western Resource Advocates, the water authority indicated "they're spending 14 times as much money in seeking out new supplies than they're spending on conservation." About 90 percent of the authority's conservation spending is on an outdoor turf replacement program, he added.

That program is called "Cash for Grass," Gleick said. The report shows that many other water-efficiency programs that have been implemented successfully by other Western cities are not pursued by Las

Vegas. "They do almost nothing, for example, on indoor efficiency," Gleick said.

Erickson said the report shows that Las Vegas can tap its existing resources through conservation much more cheaply without building the controversial pipeline. Such an effort, he said, would avoid the pipeline's risks, which he said include damaging the economy, environment and people of rural Nevada and western Utah.

Scott Huntley, spokesman for the water authority, based in Las Vegas, said many people have been interpreting the report as indicating Las Vegas should not be pursuing other water sources like the pipeline. But he noted that the report itself does not make such a recommendation.

"We find the report to be very good and interesting on many aspects and actually could be very helpful to us on many aspects," he told the Deseret Morning News.

The authority may have some marginal disagreements such as savings from indoor conservation, he said.

However, Huntley said, any interpretation of the report that the authority should "do this instead of that" is faulty, he said.

The reason for the pipeline project is that the Colorado River system is in drought, he said. Las Vegas is in a similar situation as Atlanta in that "all our eggs are in one basket," he added.

According to Huntley, the city needs to diversify its water supply. "We think conservation is important, but we can't afford not to diversify."

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White City: Water wars gone but not forgotten

Township nixes Sandy's repeated attempts to swallow its prized H2O

By Jeremiah Stettler The Salt Lake Tribune

Article Last Updated: 01/01/2008 11:54:03 AM MST

Last in a series: For the past six months, The Salt Lake Tribune has profiled Salt Lake County's six townships. Previously: Copperton, Emigration, Magna, Millcreek and Kearns.

WHITE CITY - This isle in the midst of Sandy harbors the best of water, but also the worst of blood toward the big-city neighbor that tried to snatch it away.

The water flows a little sweeter in this east-side enclave of unincorporated Salt Lake County, drawn from deep wells drilled more than a half-century ago by the suburb's developer and namesake, Kenneth White.

It was tasty enough to lure Jean Denning back to her hometown from time to time just to fill a few gallon jugs with tap water. "It was so different," said Denning, who has since moved back to White City. "It had a really sweet taste to it."

The township even earned the Rural Water Association's recognition as home to the state's second-tastiest water in 2006 - bested only by Beaver City.

But that water has been the source of bitter battling (and lingering animosities) between White City and its municipal neighbor, Sandy.

Fifty years ago, when Sandy was no bigger than a square mile, developers White and John Papanikolas laid claim to some of the valley's most pristine well water. Their creation: the White City Water Co.

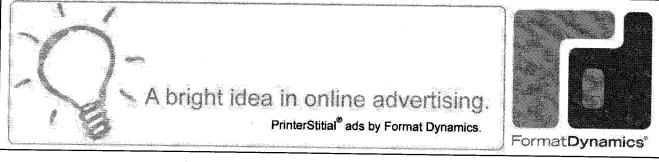
A quaint suburban community arose around those wells, replacing sagebrush flats and fruit orchards with homes.

Meanwhile, Sandy swelled into a sprawling city of 95,000 residents that wrapped around White City to the north, south, east and west. Bit by bit, the city scooped up commercial properties and made three separate bids for the water company.

Residents wouldn't relinquish their water - old-timers say it would have cost more coming from Sandy - and, in 1993, formed the White City Water Improvement District to buy the township's water system themselves.

That fight is finished. But residents haven't stopped nursing those old wounds. And, to many, Sandy remains a

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predator.

"It is like a nasty octopus with sticky, poisonous arms going through annexing everything and everybody," said Sharon Green, a member of White City's community council.

Sandy Mayor Tom Dolan counters his city doesn't have any plans for plucking more properties out of White City. The two suburbs simply are neighbors.

"Whatever animosity is there, it is coming out of White City," he said. "It is not felt on our side."

Yet emotions run deep in this workingclass community. It's a thirst, residents say, for the lower taxes and independence that come from living in unincorporated Salt Lake County.

Hunting for a home

Don Dumas was 14 years old when he traipsed through his White City neighborhood with shotgun in hand. It was sand and sagebrush then - and home to some of the valley's best pheasant hunting.

Years passed. Orchards bloomed. And developers White and Papanikolas announced plans to build a bustling bedroom community at the foot of the Wasatch Mountains.

In 1957, Dumas returned to those old hunting grounds - this time as a home buyer on one of White City's first streets.

Subdivisions soon sprouted around him, plump with Korean War vets, Kennecott workers and kids.

Construction was so "fast and furious," Green remembers, that people couldn't keep sand from collecting on their hardwood floors, furniture and window sills.

"In the slightest breeze," she said, "you would have a sandstorm blowing through your windows."

So the community grew, blossoming into a blue-collar suburb that now consists of about 6,000 residents.

Winding streets, lip-smacking water and a cottonwood-clogged Dimple Dell gully easily could define this south valley township, but many residents point to the 15-acre "Bear Park" as a community centerpiece.

The property isn't extraordinary - a pavilion, castlelike playground, baseball diamonds and rolling landscape with dozens of trees.

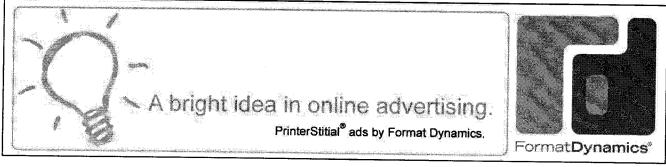
But what sets it apart lurks near the park's entrance: a 2-ton bear.

Hammering history

Reed Tyler chiseled his way into White City's history books in the mid-1960s with a 3-pound hammer and a massive chunk of granite.

With his eye on a master's degree from Brigham Young University, Tyler spent a year sculpting the granite bear for his yetundeveloped hometown park.

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The stone cost \$500. But the sculpting took more than 2,000 hours, according to his nephew Mike Tyler.

"He wanted to give something back to the town and to the families and children," Tyler said. "The way to do that, because he was an artist, was to make something."

So Reed Tyler spent nights and weekends at a Sandy stone quarry pounding out the bear's rounded snout and broad haunches, squeezing sculpting into his fulltime job as a junior high art teacher.

That monument - designed as a climbable creation for park patrons - outlasted its maker, who died of cancer several years after its completion.

And the figure has endeared itself to residents who describe it as their bear.

An oasis

On the south side of the Dimple Dell gully, the suburb boasts another landmark - a decades-old swimming pool owned, operated and maintained by a White City neighborhood.

The neighbors cut the lawn, pay the bills, chlorinate the water, replace the tiles, unlock the gates and keep the outdoor pool running.

"Honestly, during the summer, that is where everyone hangs out," said Carrie Hanson, president of the pool's operating board.

Developers dug the pool a half-century ago as a perk for home buyers. For a minimal membership fee, residents could swim away the summer heat.

Today, membership fees run about \$240 a year per household. It's enough to keep the pool filled and lifeguards paid, according to Hanson, as long as she and the other staffers work for free.

The pool is open from Memorial Day to Labor Day, featuring a family swim on Mondays, teen pool parties on Tuesdays and adult water volleyball on Wednesdays.

It's an oasis from the world for neighborhood children, Hanson said.

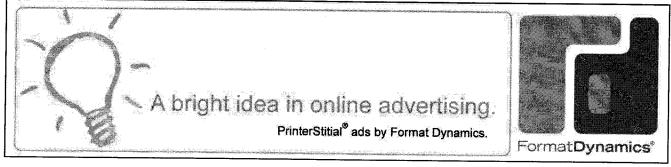
Guarding the border

Almost a decade after the water wars between White City and Sandy ended, residents continue to cling to their independence and count their coup over their purchase of the township's water supply.

"This is one of those David and Goliath stories that actually worked," said Paul Ashton, general manager and attorney for the White City Water Improvement District. "The water users bought their own system. It doesn't really happen in the real world. But it happened here."

Yet suspicions still linger toward Sandy - despite its insistence that it plans to leave

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White City alone.

The township's outspoken chairwoman, Paulina Flint, said the suburb will fight any future encroachment on its boundaries.

Residents don't want the higher taxes and denser housing developments that could accompany annexation, she said.

"It comes down to protecting the interests of the land, the community and keeping cost down," she said. "We are not a tax-and-spend society."

But not everyone shuns Sandy. Dumas said he would happily wrap the city's boundaries around his home - where he believes they were meant to be.

"This is a subdivision," Dumas said. "It wasn't meant to be a township. It wasn't meant to be a city. It was just an extension of Sandy."
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Morning News

'Magic sand show' is possible

Big release of water would rebuild Grand Canyon beaches

Associated Press

Published: December 28, 2007

FLAGSTAFF, Ariz. — Federal officials are considering releasing a large amount of water from the Glen Canyon Dam into the Grand Canyon early next year in an effort to rebuild beaches and aid endangered fish.

If approved by the Interior Department, water released from the dam just south of the Arizona-Utah border would scour sand from the river bottom and deposit it on beaches. Shrinking beaches have led to the loss of half the camping sites in the canyon in the past decade.

The Glen Canyon Dam cut the natural flood cycles that had maintained the ecosystem for millions of years. Before it was dammed in 1963, flows ranged from heavy springtime flooding that cleansed the river's sand and gravel bars to slow late fall flows.

If the project is approved, it would be the third time the dam was opened beyond power-generating capacity. Similar experiments were done in 1996 and 2004.

Scientists plan to conduct \$2 million in experiments on how the flood affects food sources, trout, water quality and sandbars.

More broadly, it is a test of ways to better manage the ecosystem of the Grand Canyon to offset impacts from the dam, required under a 1992 law.

Scientists contend that with periodic floods it might be possible to allow fish and plants that thrived in the canyon before the dam was built to recover.

Ninety percent of the sediment that used to flow into the Grand Canyon now settles out in behind the dam in Lake Powell, researchers say. Lack of rapid springtime flows also has led to silt buildup in tributaries.

"The idea behind these high flows is you're trying to take the sand that's in the bottom of the channel and wash it up on the beaches," said John Hamill, chief of the Grand Canyon Monitoring and Research Center at U.S. Geological Survey in Flagstaff.

The planned flooding would be less than half as powerful as some of the pre-dam floods that sometimes tossed around house-sized boulders.

More sandbars should aid reproduction for the endangered humpback chub, said Andrea Alpine, a biologist and director of the Southwest Biological Science Center at USGS.

The chub population, repeatedly a source of litigation, has increased by up to 25 percent in the last five years, to 6,000 adult fish, Alpine said. Researchers aren't certain about why.

A project to kill nonnative trout near where the chub live has been in place for several years, removing a primary competitor.

The flooding plan is opposed by the Federation of Fly Fishers, which says the floods harm aquatic plants, fish and the food supply in the river.

"It's the Grand Canyon magic sand show, that's what it is," said Mark Steffen, of the Fly Fishers. "It's a whole bunch of scientists (who) want to get together and see what happens to the sand. That's really all it's about."

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Conservation_district_elections_

by Sarah Miley

STAFF WRITER

An election is approaching to decide the future governance of millions of acres of land, thousands of taxpayer dollars, and valuable soil and water resources in Tooele County. But, unlike most political races, this is not an election many people know about.

In January, elections in each of the state's 38 conservation districts -- including two districts in Tooele County -- will be held. Nominations for three of the five board members in the Grantsville Conservation District -- which encompasses Grantsville and Tooele -- and the Shambip Conservation District -- which includes most of the western and southern portions of Tooele County -- are now being accepted by the Utah Conservation Commission until Jan. 4. Once the nominations are in, the names will be printed on ballots and sent to agricultural managers within the conservation district.

Conservation districts are subdivisions of the state that are responsible for taking care of the land, water and related natural resources located within their boundaries, mainly on private land, said Jake Jacobson, conservation program specialist at the Utah Department of Agriculture and Food, the department that oversees the Utah Conservation Commission.

Conservation districts, formerly called soil conservation districts, came about during the 1930s dust bowl era, when soil erosion was an ecological disaster, said Jacobson. While there was a dust bowl occurring nationally, the same phenomenon was happening locally in Tooele County.

"In the 1930s, all the ground from Tooele and Grantsville blew away as part of the dust bowl. It blew from here and gathered dust from Oklahoma and blew to Washington D.C.," said Bruce Clegg, chairman of the Grantsville Conservation District, a private landowner in the Tooele Valley, and a Tooele County commissioner.

That cloud of dust convinced President Franklin D. Roosevelt to form soil conservation districts to prevent erosion and maintain soil integrity across the nation.

Heather Johnson, Zone 2 coordinator for the Utah Association of Conservation Districts -- the zone in which the Grantsville and Shambip districts lie -- said districts typically get around \$4,000 from the state each year to help run the district and for technical assistance that goes toward projects. In addition, districts may have other income coming in from grazing fees, which the Grantsville and Shambip districts both receive.

Johnson said conservation district board members receive \$15 an hour to attend meetings. Meetings are held once a month and typically last about two hours.

"It's not really pay, it's more reimbursement for time," Johnson said. "It's not an income really."

Clegg said the 1,258,420-acre Grantsville Conservation District owns 10,000 acres of land in Tooele Valley, including land at the Deseret Peak Complex, Miller Motorsports Park and near the Grantsville reservoir. The Deseret Peak Complex land is leased to the county, who in turn subleases a portion of the land to Miller Motorsports Park. The conservation district has a 99-year lease with the county for \$1 a

year for the land.

Clegg said the land lease agreements were done before he became a county commissioner a year ago.

While there are no employees in addition to the five board members, the Grantsville district does contract work out since it owns no equipment of its own.

Clegg said the Grantsville district has been involved in fencing, water line and trough projects, and chaining projects.

Next spring, they will chain 200 acres of cedar trees west of the Grantsville reservoir and replant it with grasses in the fall that are better for wildlife and livestock. Then the group will regulate grazing periods to give plants the opportunity to grow back so they can hold the soil intact.

Clegg said his name is back in the pot for the election, although it won't be for chairman.

Jay Sagers, current chairman of the 3,161,982-acre Shambip Conservation District, said conservation districts are important for the environment and are in place to ensure there is fresh drinking water and clean air available.

"We protect the environment and we find out where and what projects need to be done," he said.

Sagers said his group recently completed chaining and seeding ground that had been burned as part of the Clover Creek Watershed Project. He also said they're involved with the Utah Division of Wildlife Resources in trying to protect the sage grouse and other threatened or endangered species.

Sagers said although the county is still in a state of drought, and waterflow hasn't increased by much, they still have hope and are looking forward to getting out of the drought.

Jacobson said the conservation districts in Tooele County are unique in the way they acquired the land.

"It was private land that people weren't able to care for and get the funding to actually pay the taxes, so it was turned over to the county and the county, not having the resources to manage it, turned it over to the newly created conservation districts."

For the election, three of the positions on each of the boards are required to be individuals that own or manage agricultural land.

"Obviously we put conservation on the land and the majority of owners still in Utah are agricultural operators, so that's why that's required," Jacobson said, adding two of the positions can be filled with people interested in natural resource conservation, not necessarily ag land operators.

Board members can be nominated through a nominating committee -- consisting of chairs of the county commission or council, USDA Farm Service Agency county committee, the conservation district, and the county agricultural extension agent -- or by public petition. A public petition must be submitted by six or more registered voters. They must also live within the conservation district boundaries. Jacobson said there must be four candidates -- one more than the three open positions -- listed on the petition. Board members serve four-year terms.

For other eligibility requirements or nomination information, visit

http://ag.utah.gov/conservation/soilcons.html or call 801-538-7120 or 7171.

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Davis County must pay fluoridation suit fees

Melinda Williams

SALT LAKE CITY — The Utah Supreme Court has ruled the Davis County clerk/auditor's office will have to pay the attorneys' fees of the group that fought a revote for fluoridated water. The Associated Press reported earlier this week that the Utah Supreme Court reversed a lower court ruling last week preventing Utahns for Better Dental Health — Davis from collecting attorneys' fees from the county. UBDH — Davis, sued the clerk/auditor's office and clerk/auditor Steve Rawlings in 2002 after Davis County placed the initiative on the ballot for a revote following a challenge from anti-fluoride activists. Pro-fluoride groups said the revote was a misinterpretation of the state's referendum law.

Second District Court Judge Glen Dawson ruled in favor of UBDH —Davis, but did not grant payment of fees.

Utah Supreme Court Chief Justice Christine Durham, writing for the majority, said the refusal was "at odds" with the original referendum decision.

Now, the parties must go before 2nd District Judge Glen Dawson for a fee hearing to determine how much the county will have to pay.

Originally UBDH — Davis requested \$45,000 in attorneys' fees, but Dawson rejected the award in 2003 and the pro-fluoride group appealed the decision to the Utah Court of Appeals, which sent their case back to Dawson in August 2005.

At that point the group's claim for attorneys' fees rose to \$145,000.

Utahns for Better Dental Health — Davis attorney David Irvine said at the time that in the two years following the original filing briefs, research and the appeal added to the fees.

Davis County voters approved fluoridating the county's drinking water (except in Woods Cross) in the 2000 election by a 52 percent vote.

It was then ordered to be implemented in 2001. Later that year, a group opposing fluoridation brought an initiative petition to Rawlings calling for a revote on the issue.

Irvine and UBDH —Davis argued the revote was illegal because the petition should have been filed as a referendum, not as an initiative.

Dawson agreed that the revote should be pulled from the ballot and UBDH —Davis asked that attorneys' fees be awarded to the group.

On Wednesday, Irvine said he received a partial payment for his services.

He hopes the hearing, which should be scheduled soon, will recoup all his fees. "I'm very happy the (Supreme) Court ruled the way they did."

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Snowpack_totals_looking_good_as_wet_winter_v

by Sarah Miley

STAFF WRITER

The recent spate of snowstorms that have hammered Tooele County over the past month have made for impressive snowpack totals and excited natural resource experts.

"So far, we're incredibly optimistic," said Randy Julander, snow survey supervisor at the Salt Lake City office of the Natural Resources Conservation Service. "We're looking good and we like the pattern we're in."

As of Wednesday morning, the Mining Fork measuring station in the Stansbury Mountains was 98 percent of normal, and Vernon Creek near Vernon was 129 percent of average, according to the NRCS, which measures mountain snow totals. However, snowpack at Rocky Basin in the Oquirrh Mountains was much lower, measuring in at only 60 percent of average.

"The west side of the Tooele Valley has got some good snowpack -- average to above average," Julander said. "The Oquirrhs, however, on the east side are not doing nearly as well."

The difference, he said, can be attributed to Great Salt Lake-enhanced snowfall.

"Storm trajectories have come in cold across the lake from the easterly side, and thus nailed the western end of the Tooele Valley," said Julander.

While the west side is doing considerably better than the east side, Julander cautioned, "It's still pretty early in the year and we still have three-fourths of winter left to go. We're in good shape, but we'd like to be better."

In northern Utah, snowpacks are only 70 percent to 80 percent of average, whereas in southern Utah things are quite a bit better with average and above-average percentages of normal at all reporting stations.

The water years from 1999 to 2004 yielded very dry conditions for Tooele County. Snowpack records were set in a very wet 2005, and 2006 was close to average.

Another storm is set to hit Utah this weekend and continue into next week.

"It looks like it'll hit southern Utah pretty hard and northern Utah pretty good too," Julander said. "Hopefully we'll pick things up to average and above average across the state."

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